

PORT OF BROOKINGS HARBOR
Regular Commission Meeting
Wednesday, January 18, 2023 at 2:00pm
Teleconference / Meeting Room
16350 Lower Harbor Road Suite 202, Harbor OR, 97415

| | | |
|---|---------------------------|------------------------------|
| Teleconference Call-In Number: 1 (253) 215-8782 Meeting ID: 771 205 4017 | Passcode: 76242023 | (to mute/unmute: * 6) |
|---|---------------------------|------------------------------|

TENTATIVE AGENDA

| | PAGE |
|--|-------------|
| 1. CALL MEETING TO ORDER | |
| <ul style="list-style-type: none"> • Pledge of Allegiance • Roll Call • Modifications, Additions, and Changes to the Agenda • Declaration of Potential Conflicts of Interest | |
| 2. APPROVAL OF AGENDA | |
| 3. APPROVAL OF MEETING MINUTES | |
| A. Approve Minutes of Regular Commissioner Meeting Wednesday December 21, 2022..... | 3 |
| 4. PUBLIC COMMENTS – Limited to a maximum of three minutes per person. Comments by teleconference, please email your comments to danielle@portofbrookingsharbor.com prior to the meeting. | |
| 5. MANAGEMENT REPORTS / APPROVAL | 7 |
| 6. ACTION ITEMS | |
| A. Resolution 2023-01, Registered Agent..... | 30 |
| B. Art on the Coast..... | 33 |
| C. Mountain View Motorcycle Shop Lease..... | 39 |
| 7. INFORMATION ITEMS | |
| A. 2023 Events..... | 70 |
| B. RV Park Update..... | 79 |
| C. 2022 Commissioner Meeting Summary..... | 81 |
| D. Storm Damage..... | 89 |
| E. Miss Stacey Update..... | 106 |
| 8. EXECUTIVE SESSION per ORS 192.660 (2)(a) | |
| This executive session of the Port of Brookings Harbor Board of Directors is called pursuant to ORS 192.660 (2)(i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing. ORS 192.660 (2)(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions. | |

Any member of the media that is here may remain. However, the Board will require that any information derived from this meeting may not be disclosed pursuant to ORS 192.660(4).

A request for an interpreter for the hearing impaired, for those who want to participate but do not have access to a telephone, or for other accommodations for persons with disabilities should be made at least 48 hours in advance of the meeting to Port of Brookings Harbor Office at 541-469-2218.

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ORS 192.660 (6) No executive session may be held for the purpose of taking any final action or making any final decision.

Adjourn out of executive session and reconvene into regular session.

9. COMMISSIONER COMMENTS

10. NEXT REGULAR MEETING DATE – Wednesday February 15, 2023, at 2:00pm

11. ADJOURNMENT

A request for an interpreter for the hearing impaired, for those who want to participate but do not have access to a telephone, or for other accommodations for persons with disabilities should be made at least 48 hours in advance of the meeting to Port of Brookings Harbor Office at 541-469-2218.

**DRAFT MINUTES
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
PORT OF BROOKINGS HARBOR DISTRICT**

Wednesday, December 21, 2022

This is not an exact transcript. The audio of the session is available on the Port's website.

The Port of Brookings Harbor District met in regular session on the above date at 2:00pm. Open session at the Port Conference Room, 16350 Lower Harbor Road Suite 202, Harbor OR, 97415, teleconference and webinar.

1. CALL MEETING TO ORDER

Commission President Richard Heap called the Regular Meeting of the Port of Brookings Harbor of Commissioners to order at 2:00pm.

- **Port of Brookings Harbor Commissioners Present:**
Joseph Speir, Vice-President (Pos. #1), Sharon Hartung Secretary/Treasurer (Pos. #2); Larry Jonas (Pos. #3); Richard Heap, President (Pos. #4); and Kenneth Range (Pos. #5).
- **Port of Brookings Harbor Management and Staff:**
Travis Webster, Port Manager; Danielle King, Safety/Administrative; James Walker, Port Counsel; and Jack Akin, Port Engineer.
- Webster informed the Board that they have been given an updated employee handbook. There were no other modification, additions, and changes to the agenda
- There were no declarations of potential conflicts of interest.

2. APPROVAL OF AGENDA – Audio time 0:02:15

A motion was made by Jonas and seconded by Spier to approve the agenda as stated. The motion passed 5 – 0.

3. APPROVAL OF MEETING MINUTES – Audio time 0:02:35

- A. Approve Minutes of Special Commissioner Meeting Friday, November 4, 2022.
- B. Approve Minutes of Regular Commissioner Meeting Wednesday, November 16, 2022.
- C. Approve Minutes of Special Commissioner Meeting Wednesday, November 30, 2022.

A motion was made by Speir and seconded by Jonas to approve the minutes Friday, November 4, 2022, Regular Commissioner Meeting Wednesday, November 16, 2022, and Special Commissioner Meeting Wednesday, November 30, 2022 as written. The motion passed 5 – 0.

4. PUBLIC COMMENTS – Audio time 0:03:12

There were no public comments.

5. MANAGEMENT REPORTS / APPROVAL

- A. **November 2022 Safety, Security, & Environmental Report – Audio time 0:03:21**
King reported on staff safety training, incidents, accidents, and security issues that happened for the month of November.
- B. **November 2022 Harbormaster Report – Audio time 0:04:21**
Webster reported on projects that were completed in the RV Park, Marina, and equipment services for the month of November. Board had some questions regarding the recreational vehicle that the Port impounded.

- C. **November 2022 Financial Report** – Audio time 0:11:43
Webster reviewed the financial report for the month of November.

A motion was made by Speir and seconded by Hartung to approve safety, security and environmental report, harbormaster report, and financial report of November 2022. The motion passed 5 – 0.

6. ACTION ITEMS

- A. **Port Manager Agreement** – Audio time 0:14:37
Webster informed the Board that Port Counsel has drafted this agreement. Webster has already signed the agreement and the one-year contract started December 1, 2022.

A motion was made by Speir and seconded by Jonas to approve Port Manager Agreement between the Port of Brookings Harbor and Travis Webster for a term of 1 year. The motion passed 5 - 0.

- B. **Port Manager Work Program** – Audio time 0:16:35
Webster informed the Board this is a 6-month plan to allow for changes to happen throughout the plan and year. Plans to hire new staff, and get new staff trained. Heap agreed with Webster's work program.

A motion was made by Speir and seconded by Jonas to approve Port Manager Work Program. The motion passed 5 – 0.

- C. **El Cazadores Parking Area** – Audio time 0:20:39
Webster reviewed item with the Board. The Board asked Webster what he thought the new owners would like and the rates of other leased parking lot areas throughout the Port. Range is opposed to selling the property. Heap explained the location and history of that piece of property and suggests selling that piece of property to make that business complete. Hartung is afraid that this could turn into another Righetti property. Board allowed public comments. The Board asked if the Property could be used for anything, Webster couldn't see a use for it.

A motion was made by Hartung and seconded by Speir to approve allowing the Port Manager to enter into negotiations with legal counsel and start a draft Purchase Sale Agreement for the sale of Port property at El Cazadores Parking Area. The motion passed 4 – 1. No: Range, Yes: Jonas, Hartung, Speir & Heap.

- D. **Boat Yard Shop Plan** – Audio time 0:30:58
Webster reviewed item with the Board. Webster is bringing this item to the Board again since it helps with receiving funds or applying for grants, when the time comes, to already have a plan in place. Webster is proposing to investigate proposals from engineering firms to look into a stick-built building and we can build it up from there. Webster doesn't want to open any projects yet but in 6 to 8 months we will have an engineering firm on hand when we are ready to proceed forward. Heap explained all this would do is commit the Board to a design. Range showed concern to spending more money when we have other projects open.

A motion was made by Jonas and seconded by Speir to approve Port Manager to seek proposals for designer/engineer to prepare construction drawings for new wood pole barn style boat yard building and provide engineer estimate for project. The motion passed 4 – 1. No: Range, Yes: Jonas, Hartung, Speir & Heap.

- E. **Resolution 2022-10, Retaining Property Sale Funds in Reserve Fund for WWTP** – Audio time 0:43:58
Heap reviewed resolution with the Board. The Board had some questions regarding the funds, what the Board has approved for the wastewater treatment plant, and a business plan for the plant. Akin explained the steps that the Board has to go through before we can discuss a business plan.

A motion was made by Jonas and seconded by Speir to approve Resolution 2022-10, concerning the proceeds from the sale of the property between Lower Harbor Road and Shopping Center Avenue, Brookings, Oregon. The motion passed 5 – 0.

- F. Resolution 2022-11, Employee Handbook** – Audio time 0:52:11
Webster confirmed the Board had the revised handbook that keeps the handbook the same with the addition of Oregon Paid Family Medical Leave Policy. Board wanted clarification if employees can opt for this option. Webster informed the Board no; this is a state requirement that will be an additional tax deduction to their paychecks.

A motion was made by Speir and seconded by Hartung to approve Resolution No. 2022-11 Port of Brookings Harbor Employee Handbook for 2022. The motion passed 5 – 0.

- G. Capital Improvement Plan Approval** – Audio time 0:55:49
Heap reviewed item with the Board. Webster confirmed this was last updated 3 years ago and explained Business Oregon’s objective with the plan.

A motion was made by Speir and seconded by Hartung to approve updated Capital Improvement Plan and submit top 3 priorities to Business Oregon. The motion passed 5 – 0.

- H. McLennan Excavation Payment Request #4** – Audio time 0:59:10
Webster reviewed item with the Board.

A motion was made by Jonas and seconded by Speir to approve McLennan Excavation progress Payment No. 4 for \$39,963.02 for work performed October 29, 2022 – November 30, 2022, per contract. The motion passed 5 – 0.

- I. Gerald Burns Financial Consultant Agreement Amendment** – Audio time 1:01:12
Webster reviewed item with the Board. Board and staff discussed the standard practice for a financial consultant to be on retainer.

A motion was made by Speir and seconded by Hartung to approve Amendment No. 2 with financial consultant Gerald Burns for one additional year. The motion passed 5 – 0.

- J. Coos-Curry Electric Service Upgrade** – Audio time 1:05:11
Webster reviewed item with the Board. Board expressed disappointment of this unexpected cost.

A motion was made by Hartung and seconded by Speir to approve contract for Coos-Curry Electric service upgrade in the amount of \$11,271.54. The motion passed 5 – 0.

Board adjourned into recess and reconvened back into session – Audio time 1:15:00 - 1:21:21

7. INFORMATION ITEMS

- A. Project Timelines (EMC Engineers)** – Audio Time 1:21:24
Akin explained the Board’s interests into four categories regarding the wastewater treatment plant and the FEMA project. FEMA has recategorized our project from a G category to an A category, which is a debris clearing category and doesn’t come with mitigation. This means we have to cut our projects into pieces for submission, they still honor this comes from disasters declared. Akin explained the relationship we are building with the other agencies, what steps we are in, and hoping to achieve the award by March. Akin is looking into a 40-50% chance of an opportunity to waive the cost match. There was a discussion between Akin and the Board regarding Pacific Seafood’s 900J permit from DEQ.

B. RV Park Project Update – Audio time 1:38:43
Webster reviewed item with the Board.

C. Letters from C.J. Huntsman, CPA, P.C. – Audio time 1:40:20
Webster reviewed item with the Board.

D. Miss Stacey Update – Audio time 1:41:36
Webster reviewed item with the Board. Since his last discussion with the owner the crab pots have been sold and sounds like the vessel is in the process of being sold, the permits are being transferred. The liens the Port put on the vessel are no longer valid and have been removed since we have a current moorage agreement and responsible owner for that vessel. Board allowed public comment.

8. COMMISSIONER COMMENTS – Audio time 1:50:21
Commissioner Heap commended Travis & Brent for all the work they did over the weekend regarding the sewer system in the boat launch parking lot and working with Zola’s and Pacific Ocean Harvesters.

9. NEXT REGULAR MEETING DATE – Wednesday, January 18, 2023, at 2:00 PM

10. ADJOURNMENT – Audio time 1:53:04
Having no further business, the meeting adjourned at 3:52pm.

Richard Heap, President

Date Signed

Sharon Hartung, Secretary/Treasurer

Date Signed

An audio recording was made of these proceedings. The recording and the full commission packet are available on the Ports website: www.portofbrookingsharbor.com.

HARBORMASTER MONTHLY REPORT

Date: January 18, 2023
Period: December 2022
To: Port Commission
Issued By: Travis Webster, Port Manager / Harbormaster

RV Park

RV park project continues to move forward. Weather and Holidays were a factor in progress in December. Contractors still will be completing sites 1-22 first before moving on to North end of park.

Concrete blocks remained in place throughout the month. High tides and log debris continue to pile along the beach and sometimes up onto the walkways. Remember to always use caution while walking the ocean path during high tides or storms.

Occupancy Percent by Month & Year

| | 2019 | 2020* | 2021 | 2022 | Change from 2021 | Forecast** |
|----------------|-------------|-------------|-------------|-------------|------------------|------------|
| January | 10.3 | 7.5 | 19 | 17 | (2) | 4 |
| February | 7.3 | 16 | 23 | 26 | 3 | 3 |
| March | 16.8 | 16.4 | 39 | 29 | (10) | 1 |
| April | 13.5 | 0 | 27.5 | 23 | (4.5) | 1 |
| May | 26.4 | 5.7 | 43.1 | 31 | (12.1) | 2 |
| June | 39.9 | 71.1 | 59.5 | 45 | (14.5) | 2 |
| July | 61.3 | 84.7 | 85 | 72 | (13) | |
| August | 60.8 | 70 | 77 | 68 | (9) | |
| September | 45.4 | 51 | 64 | 61 | (3) | |
| October | 25.4 | 68 | 34 | 27 | (13) | |
| November | 15.2 | 22 | 21 | 8 | (13) | |
| December | 8.5 | 15 | 11 | 6 | (5) | |
| Average | 27.5 | 35.6 | 41.9 | 32.9 | | |

* April & most of May 2020 RV Park was closed due to COVID-19.

** Forecast – Park allows for guests to reserve 6 months in advance.

Marina

Staff completed the second water tests for 1200z permit. All docks were walked before and after rain events. Staff is looking for broken or loose ropes, cleats, waterlines, and any vessel that appears to be below its water line or listing to either side.

The Port had multiple storm events that occurred. Staff is documenting the damages. In the event that a disaster is declared we will work with EMC and will decide how to use our mitigation program and any other funding sources that may be available.

During a minus tide part of the main dock between I and J dock hit bottom and pinched a piling hoop and caused the dock to bind. When the tide came up it broke 3 sections of dock and temporarily made the section unpassable. Staff has temporarily fixed the dock and will need to make more repairs when weather will permit.

Boat Launches Paid through Launch Machine

| | 2019 | 2020 | 2021 | 2022 | Change from 2021 |
|---------------|--------------|--------------|--------------|-------------|------------------|
| January | 66 | 5 | 27 | 190 | 163 |
| February | 47 | 102 | 70 | 195 | 125 |
| March | 66 | 204 | 178 | 196 | 18 |
| April | 122 | 244 | 386 | 162 | (224) |
| May | 276 | 282 | 233 | 161 | (72) |
| June | 303 | 697 | 759 | 475 | (284) |
| July | 794 | 1095 | 826 | 982 | 156 |
| August | 875 | 768 | 716 | 762 | 46 |
| September | 350 | 583 | 713 | 1,027 | 314 |
| October | 518 | 713 | 518 | 668 | 150 |
| November | 352 | 109 | 70 | 90 | 20 |
| December | 53 | 40 | 60 | 93 | 33 |
| Totals | 3,822 | 4,842 | 4,556 | 5001 | 445 |

Equipment Services Performed by Port Staff

Telehandler Jobs

| | 2019 | 2020 | 2021 | 2022 |
|---------------|-----------|-----------|-----------|-----------|
| January | 4 | 2 | 0 | 8 |
| February | 1 | 6 | 3 | 2 |
| March | 6 | 4 | 6 | 5 |
| April | 7 | 10 | 5 | 7 |
| May | 6 | 3 | 7 | 6 |
| June | 3 | 0 | 3 | 4 |
| July | 1 | 5 | 0 | 1 |
| August | 3 | 4 | 1 | 0 |
| September | 3 | 3 | 1 | 2 |
| October | 10 | 6 | 5 | 7 |
| November | 3 | 9 | 13 | 9 |
| December | 15 | 5 | 3 | 2 |
| Totals | 62 | 57 | 47 | 53 |

Travel Lift Haul-Outs

| | 2019 | 2020 | 2021 | 2022 |
|---------------|-----------|-----------|-----------|-----------|
| January | 2 | 1 | 0 | 2 |
| February | 2 | 5 | 1 | 6 |
| March | 4 | 5 | 6 | 6 |
| April | 7 | 5 | 6 | 7 |
| May | 13 | 9 | 5 | 8 |
| June | 16 | 15 | 12 | 6 |
| July | 15 | 14 | 7 | 8 |
| August | 8 | 4 | 7 | 5 |
| September | 7 | 6 | 8 | 4 |
| October | 9 | 8 | 4 | 11 |
| November | 8 | 5 | 12 | 6 |
| December | 5 | 1 | 0 | 7 |
| Totals | 96 | 78 | 68 | 76 |

Commercial Receiving Dock

Public Hoist – Operational
Hallmark Seafood – Operational
Bornstein Seafood – Operational
Pacific Seafood – Operational

Commercial Retail Building

No changes to report of the boatyard warehouse structure. Staff found a beam that needs to be replaced by Tidewinds leased area. This is not structural, and we now have the material on hand. This work will be when weather permits

Maintenance Crew

Staff completed 82 work orders for the month of December. Total 2022 work orders completed 1,100. Most of December work was storm related. Checking boats, removing debris, and preparing for more upcoming weather events.

Office Staff

Office staff was limited this month to mostly 1 person. We collected 2 applications for the Office Manager position and held interviews Jan. 4th. We will be listing more office positions to help provide more support for our office staff. After these positions are filled, we will be focusing on training and keeping up with day-to-day tasks.

For December 2022:

2 Telehandler Jobs:

- 12/5 “Little Joe” 2.5 hours
- 12/16 “Yaznak” 1 hour

7 Haul Outs:

- 12/7 “Class Sea Lady”
- 12/14 “Harbor Island”
- 12/19 “Moray”
- 12/20 “Samantha”
- 12/21 “Dessert Storm”
- 12/23 “Stormie II”
- 12/29 “EzC”

82 Work Orders completed in December – see attached spreadsheet.

*Total Number of **Work Orders Completed in 2022: 1,100**

1 Boat Inspection for seaworthiness in December:

- Triumph (N12)– inspection was 12/7 at 2:00 pm, vessel passed inspection.

Ongoing Inspections:

Class Sea Lady (P12) – customer has decided to have Kenny do repairs on boat.

Haul Out took place on 12/7/22.

Thor (O13) – has been working with Kenny, and was given an additional 60 days to complete repairs (will follow up on 2/15 for reinspection).

Currently scheduling upcoming Inspections for:

Taku (N20) – as of 11/29, waiting for customer callback to schedule.

Rhumba (I15) – has been contacted to schedule for January 2023.

*Nazdarovya (C14) – customer cancelled his 12/6 and 12/16 appointments,
and was a no-show for his 12/29 appointment.*

Will attempt to schedule for January.

WORK ORDERS LOG
Port of Brookings Harbor
December 2022

| Date | Location | Description of Work | Corrective Action | Date Completed | Completed By |
|----------|--------------------------------------|---|-------------------|----------------|----------------------|
| 12/1/22 | Port Property | Monthly sewer inspections | Completed | 12/1/22 | Brent |
| 12/1/22 | Retail Area | Monthly cleaning and inspection of septic | Completed | 12/1/22 | Brent |
| 12/1/22 | Basin 1 and 2 | Walk docks | Completed | 12/1/22 | Shawn & Sean |
| 12/1/22 | Boatyard | Check boats, pump out "Carver" | Completed | 12/1/22 | Shawn & Sean |
| 12/1/22 | Port Property | Clean out around all storm drains | Completed | 12/1/22 | Shawn & Sean |
| 12/1/22 | Basin 1, A 31 | Remove old cleat | Completed | 12/1/22 | Shawn |
| 12/1/22 | Basin 2, I-15 | Retie boat after storm | Completed | 12/1/22 | Shawn |
| 12/1/22 | RV Park | Reattach vent pipe | Completed | 12/1/22 | Shawn & Sean |
| 12/2/22 | Port Shop | Secure lid on forklift | Completed | 12/2/22 | Shawn |
| 12/2/22 | Basin 2, Restroom / Water Meter | Check standing water - meter | Completed | 12/2/22 | Shawn & Sean |
| 12/2/22 | Fuel Dock | Monthly Inspections | Completed | 12/2/22 | Brent |
| 12/2/22 | Kitefield, at C-H Ramp / Parking Lot | Remove 1" drain and replace with 2" drain pipe | Completed | 12/2/22 | Shawn & Sean |
| 12/2/22 | Boatyard | Clean travelift ramp | Completed | 12/2/22 | Shawn & Sean |
| 12/2/22 | RV Park | Fill pothole along front roadway of RV Park | Completed | 12/2/22 | Shawn & Sean |
| 12/2/22 | Boatyard | Clean up broken pallets | Completed | 12/2/22 | Shawn & Sean |
| 12/2/22 | RV Park, Restroom | Switch out door levers | Completed | 12/2/22 | Shawn & Sean |
| 12/4/22 | Fuel Dock | Annular Alarm - vacuum out moisture | Completed | 12/5/22 | Brent |
| 12/5/22 | RV Park, Restroom | Scrape and re-paint wall where paint is peeling | Completed | 12/5/22 | Sean |
| 12/5/22 | Basin 1 and 2 | Walk docks | Completed | 12/5/22 | Sean |
| 12/7/22 | Basin 1 | Fix water leak, repair splice that came apart | Completed | 12/7/22 | Shawn & Sean |
| 12/7/22 | Kitefield | Fill dog holes in field | Completed | 12/7/22 | Shawn & Sean |
| 12/8/22 | Retail Area, Restroom | Fix leaking toilet on women's side | Completed | 12/8/22 | Shawn |
| 12/8/22 | Port Shop | Stain fence boards | Completed | 12/8/22 | Shawn |
| 12/8/22 | Basin 1 and 2 | Walk docks | Completed | 12/8/22 | Shawn |
| 11/22/22 | RV Park, Restroom | Replace old shower curtains on both sides | Completed | 12/8/22 | Trent |
| 12/14/22 | Port Office | Restore Quickbooks after power outage | Completed | 12/14/22 | April |
| 12/9/22 | Port Property | Slip, gear, and trailer storage inventory | Completed | 12/9/22 | Shawn/Sean |
| 12/9/22 | Port Property | Dock Walks | Completed | 12/9/22 | Shawn/Sean |
| 12/9/22 | RV Park | Seal seawall, moved blocks | Completed | 12/9/22 | Brent & Marian |
| 12/12/22 | Basin 1 and 2 | Walk docks | Completed | 12/12/22 | Shawn & Sean |
| 12/12/22 | Launch Ramp Sewer | Cleaned plug | Completed | 12/12/22 | Travis & Brent |
| 12/12/22 | Basin 1 and 2 | Remove Debris | Completed | 12/12/22 | Shawn, Sean & Marian |
| 12/10/22 | Launch Ramp Sewer | Cleaned plug | Completed | 12/10/22 | Travis & Brent |
| 12/12/22 | Launch Ramp Sewer | Cleaned plug | Completed | 12/12/22 | Travis & Brent |
| 12/13/22 | Office Server | Worked with Mainbrace to fix server | Completed | 12/13/22 | Brent & Mainbrace |
| 12/13/22 | Basin 2, C-H Dock Ramp | Install new drainage pipe | Completed | 12/13/22 | Shawn & Sean |
| 12/13/22 | Fuel Dock Tanks | Alarm going off, vacuummed out debri | Completed | 12/13/22 | Brent |
| 12/14/22 | Boardwalk | Replace Flags | Completed | 12/14/22 | Shawn & Sean |
| 12/14/22 | Commercial Retail | Check Gutter and fix as needed | Completed | 12/14/22 | Shawn & Sean |
| 12/14/22 | Boat Yard Shop | Measure for a new door | Completed | 12/14/22 | Shawn |
| 12/14/22 | Kite Field | Fix ruts in grass | Completed | 12/14/22 | Shawn & Sean |
| 12/15/22 | Shop | Cut Board for R.V Park Fence | Completed | 12/15/22 | Shawn & Sean |
| 12/15/22 | Fuel tanks | Clean Tanks | Completed | 12/15/22 | Shawn & Sean |
| 12/15/22 | Launch Ramp Sewer | Sewer clogged | Completed | 12/15/22 | Brent |
| 12/16/22 | Fuel Tanks | Scrape and paint rust spots | Completed | 12/16/22 | Shawn & Sean |
| 12/16/22 | Basin 1 and 2 | Walk docks | Completed | 12/16/22 | Shawn & Sean |
| 12/12/22 | RV Park, Site 46/47 | Replaced fence | Completed | 12/16/22 | Trent |
| 12/16/22 | Port Meeting Room | Moved tables | Completed | 12/16/22 | Shawn & Sean |
| 12/16/22 | Tidewinds | Rehung overhang | Completed | 12/16/22 | Shawn & Sean |
| 12/12/22 | RV Park, Site 77/78 | Fixed Fence | Completed | 12/19/22 | Trent |
| 12/19/22 | RV Park, Site 23-32 | Picked up old electrical pedestal | Completed | 12/19/22 | Trent |
| 12/19/22 | Basin 1 and 2 | Walk docks | Completed | 12/19/22 | Shawn & Sean |
| 12/19/22 | Fuel Tanks | Paint tanks | Completed | 12/19/22 | Shawn & Sean |
| 12/19/22 | Shop | Cut & Paint Beams | Completed | 12/20/22 | Shawn & Sean |
| 12/20/22 | Shop | Stain fence boards | Completed | 12/20/22 | Shawn & Sean |
| 12/20/22 | RV Park | Smash Dumpster | Completed | 12/20/22 | Brent |
| 12/20/22 | Fish Station | Dump Fish | Completed | 12/20/22 | Brent |
| 12/21/22 | P & Q Ramp | installed mesh over drain | Completed | 12/21/22 | Shawn & Sean |
| 12/21/22 | Port Property | Replace Oil Booms | Completed | 12/21/22 | Shawn & Sean |
| 12/22/22 | Shop | Stain fence boards | Completed | 12/22/22 | Shawn & Sean |
| 12/22/22 | Basin 1 and 2 | Walk docks | Completed | 12/22/22 | Shawn & Sean |

| | | | | | | |
|----------|------------------|--|-----------|----------|-----------------------------|-----------|
| 12/23/22 | Shop | Clean up shop | Completed | 12/23/22 | Shawn & Sean | 62 |
| 12/23/22 | I & J Dock | Remove broken dock and shore up utilites | Completed | 12/23/22 | Shawn, Sean & Brent | 63 |
| 12/24/22 | Basin 1 and 2 | Check dock and bolts | Completed | 12/24/22 | Shawn | 64 |
| 12/22/22 | Basin 1 C 1 | Place new bumper ball | Completed | 12/27/22 | Shawn | 65 |
| 12/27/22 | Basin 1 & 2 | Replace lines | Completed | 12/27/22 | Shawn & Sean | 66 |
| 12/27/22 | Basin 1 A 23/25 | Fix broken water line | Completed | 12/27/22 | Shawn & Sean | 67 |
| 12/27/22 | Basin 1 and 2 | AM Walk docks | Completed | 12/27/22 | Shawn & Sean | 68 |
| 12/27/22 | Basin 1 and 2 | PM Walk docks | Completed | 12/27/22 | Shawn & Sean | 69 |
| 12/27/22 | Fuel Dock | Allarm, vacummed water out | Completed | 12/27/22 | Brent | 70 |
| 12/28/22 | Boat Yard Shop | inventory check | Completed | 12/28/22 | Shawn | 71 |
| 12/28/22 | Basin 1 and 2 | Boat inventory | Completed | 12/28/22 | Shawn | 72 |
| 12/28/22 | I & J Dock | Install new docks | Completed | 12/28/22 | Shawn, Sean, Brent & Travis | 73 |
| 12/28/22 | I & J Dock | Install piling chain | Completed | 12/28/22 | Shawn | 74 |
| 12/29/22 | Boat Yard | Clean filter system | Completed | 12/29/22 | Shawn & Sean | 75 |
| 12/29/22 | Basin 1 | Tie up log | Completed | 12/29/22 | Shawn | 76 |
| 12/28/22 | RV Park, Site 55 | Replace fence | Completed | 12/29/22 | Trent | 77 |
| 12/29/22 | Boat Yard | Remove docks from basin | Completed | 12/29/22 | Shawn, Sean & Brent | 78 |
| 12/30/22 | Basin 1 and 2 | Walk docks | Completed | 12/30/22 | Shawn | 79 |
| 12/30/22 | Boat Launch | stall new delineator | Completed | 12/30/22 | Shawn | 80 |
| 12/30/22 | Boat Yard | Fill dumpster | Completed | 12/30/22 | Shawn & Brent | 81 |
| 12/30/22 | RV Park Office | Remove Everything from Office | Completed | 12/30/22 | Shawn | 82 |
| | | | | | Total Work Orders | 82 |

Port of Brookings Harbor 2022 Total Work Orders

| | |
|----------------------|--------------|
| January | 109 |
| February | 73 |
| March | 110 |
| April | 90 |
| May | 76 |
| June | 68 |
| July | 100 |
| August | 116 |
| September | 103 |
| October | 92 |
| November | 81 |
| December | 82 |
| Yearly Total: | 1,100 |



Brooking Harbor VenTek RCS

Monthly Transactions Summary Report

5 Jan 2023 10:18:10AM

Date: December 01, 2022 to December 31, 2022

Payment type: ALL

Transaction IDs: ALL

Terminals: ALL

| Location | Terminal | Product | Count | Cash | Visa | MC | Amex | Discover | Smart Card | Debit | Cash Refund | Credit Refund | Total |
|-----------------------|------------|-----------------|-------|--------|--------|-------|------|----------|------------|-------|-------------|---------------|--------|
| Date: 2022 / December | | | | | | | | | | | | | |
| 1 | VS_All Pay | | | | | | | | | | | | |
| | 1 | Boat Launch | 97 | 245.00 | 195.00 | 25.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 465.00 |
| | 2 | Daily Moorage | 2 | 0.00 | 15.00 | 15.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 30.00 |
| | 4 | Trailer Storage | 3 | 5.00 | 10.00 | 30.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 45.00 |
| | Subtotal | | 102 | 250.00 | 220.00 | 70.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 540.00 |
| Total Sales | | | 102 | 250.00 | 220.00 | 70.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 540.00 |
| Grand Totals | | | | | | | | | | | | | |
| Total Sales | | | 102 | 250.00 | 220.00 | 70.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 540.00 |

17

Six Month Occupancy Forecast

| | |
|----------|----|
| January | 4% |
| February | 3% |
| March | 1% |
| April | 1% |
| May | 2% |
| June | 2% |

| Date | Total Units | Occupied Units | Unoccupied Units | Occupancy |
|------------|-------------|----------------|------------------|-----------|
| 12/01/2022 | 127 | 4 | 123 | 3% |
| 12/02/2022 | 127 | 6 | 121 | 5% |
| 12/03/2022 | 127 | 4 | 123 | 3% |
| 12/04/2022 | 127 | 3 | 124 | 2% |
| 12/05/2022 | 127 | 3 | 124 | 2% |
| 12/06/2022 | 127 | 4 | 123 | 3% |
| 12/07/2022 | 127 | 3 | 124 | 2% |
| 12/08/2022 | 127 | 3 | 124 | 2% |
| 12/09/2022 | 127 | 3 | 124 | 2% |
| 12/10/2022 | 127 | 4 | 123 | 3% |
| 12/11/2022 | 127 | 6 | 121 | 5% |
| 12/12/2022 | 127 | 5 | 122 | 4% |
| 12/13/2022 | 127 | 4 | 123 | 3% |
| 12/14/2022 | 127 | 3 | 124 | 2% |
| 12/15/2022 | 127 | 8 | 119 | 6% |
| 12/16/2022 | 127 | 13 | 114 | 10% |
| 12/17/2022 | 127 | 9 | 118 | 7% |
| 12/18/2022 | 127 | 6 | 121 | 5% |
| 12/19/2022 | 127 | 5 | 122 | 4% |
| 12/20/2022 | 127 | 3 | 124 | 2% |
| 12/21/2022 | 127 | 3 | 124 | 2% |
| 12/22/2022 | 127 | 8 | 119 | 6% |
| 12/23/2022 | 127 | 8 | 119 | 6% |
| 12/24/2022 | 127 | 8 | 119 | 6% |
| 12/25/2022 | 127 | 8 | 119 | 6% |
| 12/26/2022 | 127 | 6 | 121 | 5% |
| 12/27/2022 | 127 | 3 | 124 | 2% |
| 12/28/2022 | 127 | 7 | 120 | 6% |
| 12/29/2022 | 127 | 15 | 112 | 12% |
| 12/30/2022 | 127 | 22 | 105 | 17% |
| 12/31/2022 | 127 | 31 | 96 | 24% |
| | 3937 | 218 | | |

| | |
|--------------------|----|
| December Occupancy | 6% |
| Total | |

SAFETY, SECURITY, AND ENVIRONMENTAL

MONTHLY REPORT

Date: January 18, 2023
Period: December 2022
To: Travis Webster, Port Manager
Issued By: Danielle King, Safety, Security, & Environmental Coordinator

Safety

Port staff reviewed slipped trips and falls in the workplace.

Incidents

POBH recorded (5) incidents for the month of November bringing the year total to (79). Incidents included:

1. Flex line between D & E main dock broke. Water was shut off and staff fixed waterline.
2. Someone allowed their dog to dig holes in the grass at the Kite Field, staff used 3 yards of dirt to fill the holes back in.
3. A vehicle drove through the Kite Field grass, creating divots. Security footage was given to Curry County Sheriff's to trespass.
4. Sewer Alarm at the boat launch restroom began going off. Zola's and Pacific Ocean Harvesters had to limit services multiple times. Roto Rooter, City of Brookings and Harbor Sanitary assist in clearing the plug that developed 150 feet down the line.
5. During a negative tide a piling hoop on the main got pinched at I & J Dock. When the tide came back up the dock was stuck and broke. Moorage holders were contacted that access to their vessels are limited, staff replaced broken dock, insurance was contacted.

Security

Four Aces Security Solutions and POBH recorded (12) security issues for the month of December bringing the year total to (1513). Issues included:

- (10) Overnight parking tickets.
- (1) Unauthorized visitors on Port Property after hours
- (1) Unhitched Trailer

Environmental / DEQ 1200-Z Industrial Stormwater

Monthly inspections were completed as required by our Stormwater Pollution Control Plan (SWPCP). Stormwater testing was completed during the recent storms. This was the four of four required tests this year.

Danielle's Tasks Completed

Date:
DECEMBER

- December 8** Completed the following tasks with Travis: DEQ 1200Z, 3 of 4 Field Sampling, Monthly Facility Inspection, and Monthly Visual Stormwater Observation.
- December 8** Took stormwater testing to Grants Pass Water Lab
- December 12** Staff was trained on Slips Trips and Falls
- December 28** Reviewed with staff the Oregon Paid Family Medical Leave Policy, effective January 1, 2023
- December 30** Completed the following tasks with Travis: DEQ 1200Z, 4 of 4 Field Sampling, Monthly Facility Inspection, and Monthly Visual Stormwater Observation.
- December 30** Invoices created and mailed for boat/trailer storage, gear storage, and commercial leases

April's Tasks Completed: Dec 2022

Date:
DECEMBER

- December 1** Updated "Miss Stacey" timeline, including corresponding notes / minutes for next board meeting.
- December 1** Met with Travis and Josh Whaley to discuss changes in Annual versus Transient Daily moorages for FV Miss Sarah, FV Miss Emily and FV Prolifik. Updated all files.
Invoiced and took payment for all moorage renewals, and all other fees for all three (3) vessels.
- December 8 -
December 12** Prepared renewal notice letters, created invoices and sent out 29 Moorage Renewals for February.
- December 14** Restored QuickBooks to last back-up version after office server failed due to power outage (2.5 hours).
- December 15** Entered purchase orders, created bills for those purchase orders charged to account, and entered payments for those purchase orders that were paid using the port credit/debit card.
- December 16** Job Descriptions review for potential new office staff.
- December 16** Established additional moorage slip fees for 12/1/22-9/1/23, second slip for Kyle Aubin's "Eli's Tide".
Note: Due to width of vessel, Kyle will be paying OAL fees for A21 and Length of slip fees for A23.
- December 1 -
December 16** Daily deposit of credit card payments received at front office.
- December 1 -
December 16** Counting and verifying all cash / check deposits prior to staff taking them to the bank.
- December 1 -
December 16** Daily back up of QuickBooks at end of day.

NOTES:

April was on vacation from December 17 – December 27, 2022 (which was extended due to severe weather / flight cancellations until January 2, 2023).

Port of Brookings Harbor Balance Sheet

Cash Basis

| | Dec 31, 22 |
|---|---------------------|
| ASSETS | |
| Current Assets | |
| Checking/Savings | |
| 100 · UNRESTRICTED CASH & EQUIVALENTS | |
| 101 · GENERAL FUND CHECKING & LGIP | |
| 10103 · General Funds Ckg Umpqua 3634 | 74,661.32 |
| 10104 · RCU Business Ownership 0687 | 18.31 |
| 10105 · RCU Business Savings 0600 | 10.00 |
| 10106 · General Fund LGIP 6017 | 202,342.30 |
| 10107 · Dredging Fund LGIP 6254 | 38,891.99 |
| Total 101 · GENERAL FUND CHECKING & LGIP | 315,923.92 |
| 10101 · Petty Cash | 414.00 |
| 10102 · COUNTER CASH | |
| 10102.1 · Office/Reception Cash Drawer | 400.00 |
| 10102.2 · RV Park Cash Drawer | 510.00 |
| 10102.3 · Fuel Dock Cash Drawer | 800.00 |
| Total 10102 · COUNTER CASH | 1,710.00 |
| Total 100 · UNRESTRICTED CASH & EQUIVALENTS | 318,047.92 |
| 110 · RESTRICTED CASH & EQUIVALENTS | |
| 104 · RESTRICTED MONEY MKT & CHECKING | |
| 20104 · USDA BOND Umpqua MM 9529 | 2,521.17 |
| 30104 · Debt Service Umpqua MM 8627 | 2,516.44 |
| 40104 · Capital Projects Umpqua 8018 | 2,500.00 |
| Total 104 · RESTRICTED MONEY MKT & CHECKING | 7,537.61 |
| 105 · RESTRICTED LGIP | |
| 20105 · USDA Bond Fund LGIP 6021 | 36,053.47 |
| 30105 · IFA Debt Service Fund LGIP 6020 | 21,058.31 |
| 50105 · Reserve Fund LGIP 6018 | 453,798.13 |
| 70105 · Capital Projects LGIP 6273 | |
| 70105.2 · Port Construction Fund | 322,768.36 |
| Total 70105 · Capital Projects LGIP 6273 | 322,768.36 |
| Total 105 · RESTRICTED LGIP | 833,678.27 |
| Total 110 · RESTRICTED CASH & EQUIVALENTS | 841,215.88 |
| Total Checking/Savings | 1,159,263.80 |
| Accounts Receivable | |
| 120 · ACCOUNTS RECEIVABLE | -5,602.44 |
| Total Accounts Receivable | -5,602.44 |
| Other Current Assets | |
| 130 · DUE FROM TRANSFERS | |
| 40130 · Due From Capital Projects | 84,430.17 |
| Total 130 · DUE FROM TRANSFERS | 84,430.17 |
| 150 · Undeposited Funds | 2,899.61 |
| Total Other Current Assets | 87,329.78 |
| Total Current Assets | 1,240,991.14 |
| TOTAL ASSETS | 1,240,991.14 |
| LIABILITIES & EQUITY | |
| Liabilities | |
| Current Liabilities | |
| Credit Cards | |
| 106.1 · RCU Business Ownership 0687 | 18.31 |

Port of Brookings Harbor Balance Sheet

Cash Basis

| | Dec 31, 22 |
|---|---------------------|
| 106.2 · RCU Business Savings 0600 | 10.00 |
| Total Credit Cards | 28.31 |
| Other Current Liabilities | |
| 100222 · Payroll Liabilities | |
| 10222 · HealthCare Premium - Dependent | -2,085.10 |
| Total 100222 · Payroll Liabilities | -2,085.10 |
| 10226 · Lodging Tax Payable | 10,055.83 |
| 230 · DUE TO TRANSFERS | |
| 40230 · Due To General Fund from CP | 84,430.17 |
| Total 230 · DUE TO TRANSFERS | 84,430.17 |
| Total Other Current Liabilities | 92,400.90 |
| Total Current Liabilities | 92,429.21 |
| Total Liabilities | 92,429.21 |
| Equity | |
| 300 · Fund Balance | |
| 301 · Unappropriated Balance | |
| 10301 · General Fund Unappropriated Bal | 532,465.33 |
| 20301 · Revenue Bond Unappropriate Bal | 102,351.92 |
| 30301 · Debt Service Unappropriated Bal | 22,758.51 |
| 40301 · Capital Project Unappropriated | 40,430.77 |
| 50301 · Reserve Fund Unappropriated Bal | 402,738.52 |
| 70301 · Port Const. Fund Unappropriated | 569,448.67 |
| Total 301 · Unappropriated Balance | 1,670,193.72 |
| 302 · Appropriated Carryover | |
| 10302 · General Fund Appropriated Carry | -532,465.33 |
| 20302 · Revenue Bond Appropriated Carry | -102,351.92 |
| 30302 · Debt Service Appropriated Carry | -22,758.51 |
| 40302 · Capital Proj Appropriated Carry | -40,430.77 |
| 50302 · Reserve Fund Appropriated Carry | -402,738.52 |
| 70302 · Port Const. Fund Appropriated | -569,448.67 |
| Total 302 · Appropriated Carryover | -1,670,193.72 |
| Total 300 · Fund Balance | 0.00 |
| Net Income | 1,148,561.93 |
| Total Equity | 1,148,561.93 |
| TOTAL LIABILITIES & EQUITY | 1,240,991.14 |

Port of Brookings Harbor
Profit & Loss
 December 2022

| | Dec 22 |
|--|------------|
| Income | |
| 400 · REVENUES | |
| 401 · GENERAL FUND REVENUES | |
| 10412 · Property Tax Current | 8,146.82 |
| 10413 · Property Tax Prior | 192.80 |
| Total 401 · GENERAL FUND REVENUES | 8,339.62 |
| 402 · GENERAL FUND PROGRAM REVENUES | |
| 10421 · MARINA | |
| 10421.2 · MOORAGE | |
| 10421.3 · Commercial Slip Rent | 8,384.24 |
| 10421.4 · Recreational Slip Rent | 18,042.76 |
| 10421.5 · Transient | 231.15 |
| 10421.6 · Other Moorage | 82.50 |
| Total 10421.2 · MOORAGE | 26,740.65 |
| 10422 · Boat Launch | 210.00 |
| 10423 · STORAGE | |
| 10423.1 · Gear Storage | 1,143.00 |
| 10423.2 · Boat Storage | 2,000.00 |
| Total 10423 · STORAGE | 3,143.00 |
| 10424 · ADMINISTRATIVE FEES | 369.34 |
| 10425 · MARINE SERVICES | |
| 10425.1 · Travelift | 1,200.00 |
| 10425.2 · 12 K Telehandler | 540.00 |
| 10425.3 · Other Sales & Fees | 60.00 |
| Total 10425 · MARINE SERVICES | 1,800.00 |
| Total 10421 · MARINA | 32,262.99 |
| 10427 · BEACHFRONT RV PARK | |
| 10427.1 · Space Rental | 944.58 |
| 10427.2 · Other Sales & Fees | 339.70 |
| Total 10427 · BEACHFRONT RV PARK | 1,284.28 |
| 10428 · COMMERCIAL RETAIL | |
| 10428.1 · Retail Property | 15,423.72 |
| 10428.2 · Docks | 7,043.97 |
| 10428.3 · CPI and Other Fees | 1,255.67 |
| Total 10428 · COMMERCIAL RETAIL | 23,723.36 |
| 10429 · FUEL DOCK | 16,231.45 |
| Total 402 · GENERAL FUND PROGRAM REVENUES | 73,502.08 |
| 420 · USDA REVENUE BOND FUND | |
| 20419 · Transfer to USDA Bond Fund | 10,843.00 |
| Total 420 · USDA REVENUE BOND FUND | 10,843.00 |
| 430 · DEBT SERVICE FUND REVENUE | |
| 30419 · Transfer to Debt Service Fund | 31,958.71 |
| Total 430 · DEBT SERVICE FUND REVENUE | 31,958.71 |
| 450 · RESERVE FUND REVENUE | |
| 50419 · Transfer to Reserve Fund | 226,236.00 |
| Total 450 · RESERVE FUND REVENUE | 226,236.00 |
| 460 · DEBT SERV. RV PARK IMPROV. FUND | |
| 60419 · Transfer OR FFC 2020 Debt Serv. | 4,809.87 |
| Total 460 · DEBT SERV. RV PARK IMPROV. FUND | 4,809.87 |

Port of Brookings Harbor
Profit & Loss
December 2022

| | Dec 22 |
|---|------------|
| Total 400 · REVENUES | 355,689.28 |
| Total Income | 355,689.28 |
| Gross Profit | 355,689.28 |
| Expense | |
| 600 · GENERAL FUND EXPENDITURES | |
| 10900 · Operating Transfers Out General | 273,847.58 |
| 500 · PERSONNEL SERVICES | |
| 10510 · Health Care and Dental | 8,032.40 |
| Total 500 · PERSONNEL SERVICES | 8,032.40 |
| 601 · GENERAL FUND Material & Service | |
| 10601 · ADVERTISING & NOTIFICATIONS | 53.40 |
| 10602 · REPAIRS & MAINTENANCE | |
| 10602.1 · Equip. Repair/Maintenance | 6,593.36 |
| 10602.2 · Supplies | 2,747.78 |
| 10602.3 · Services | 3,554.55 |
| Total 10602 · REPAIRS & MAINTENANCE | 12,895.69 |
| 10603 · FUEL purchased for resale | 33,412.00 |
| 10605 · UTILITIES | |
| 10605.1 · Electric | 8,539.31 |
| 10605.3 · Sanitary | 2,845.20 |
| 10605.5 · Telecommunications | 671.27 |
| 10605.6 · Waste Removal | 3,479.32 |
| 10605.7 · Water | 1,433.51 |
| Total 10605 · UTILITIES | 16,968.61 |
| 10606 · OFFICE EXPENSE | 2,116.96 |
| 10607 · BANK SERVICE & FINANCE FEES | 1,777.13 |
| 10609 · PERMITS, LICENSES, TAXES & MISC | 947.75 |
| 10610 · INSURANCE; PROP & CAS, BOND | 10,328.56 |
| 10611 · PROFESSIONAL FEES | |
| 10611.1 · Accounting/Auditing | 8,695.00 |
| 10611.2 · Attorney | 13,971.00 |
| 10611.3 · Engineering | 8,410.00 |
| 10611.4 · Other Support/Consultant | 2,805.02 |
| Total 10611 · PROFESSIONAL FEES | 33,881.02 |
| Total 601 · GENERAL FUND Material & Service | 112,381.12 |
| 710 · GENERAL FUND CAPITAL OUTLAY | |
| 10702 · Land Improvements | 1,459.50 |
| Total 710 · GENERAL FUND CAPITAL OUTLAY | 1,459.50 |
| Total 600 · GENERAL FUND EXPENDITURES | 395,720.60 |
| 630 · DEBT SERVICE FUND EXPENDITURES | |
| 30802P · IFA PRINCIPAL | |
| 30802.1 · OBDD #520139/Boardwalk Prin | 3,793.46 |
| 30802.2 · OBDD #525172/RV Park Prin. | 3,420.92 |
| 30802.3 · OBDD #525176/Green Bldg Prin | 6,024.09 |
| 30802.4 · OBDD #525181/EurekaFish Prin | 3,912.98 |
| 30802.5 · SPWF #L02009/Cold Strg Prin | 55,663.62 |
| 30802.9 · SPWF X03004/Eureka Fishery Prin | 4,684.93 |
| Total 30802P · IFA PRINCIPAL | 77,500.00 |
| 801 · Principal | |
| 30803P · 50 BFMII Travelift Principal | 4,431.68 |
| 30804P · 2018 Genie Forklift Principal | 1,280.32 |

Port of Brookings Harbor

Profit & Loss

December 2022

| | Dec 22 |
|--|-------------|
| Total 801 · Principal | 5,712.00 |
| 810 · Interest Payments | |
| 30813I · 50 BFMII Travelift Interest | 227.32 |
| 30814I · 2018 Genie Forklift Interest | 184.39 |
| Total 810 · Interest Payments | 411.71 |
| Total 630 · DEBT SERVICE FUND EXPENDITURES | 83,623.71 |
| 640 · CAPT. PROJ. EXPENDITURES | |
| 740 · CAPT. PROJ. CAPITAL OUTLAY | |
| 40702 · Land Improvement - Capt Proj | |
| 40702.1 · Engineering/Consultants | 4,026.00 |
| Total 40702 · Land Improvement - Capt Proj | 4,026.00 |
| Total 740 · CAPT. PROJ. CAPITAL OUTLAY | 4,026.00 |
| Total 640 · CAPT. PROJ. EXPENDITURES | 4,026.00 |
| 660 · DEBT SERV. RV PARK EXPENDITURES | |
| 60806P · RV Park Improv. Loan Principal | 3,320.92 |
| 60815I · RV Park Improv. Loan Interest | 1,488.95 |
| Total 660 · DEBT SERV. RV PARK EXPENDITURES | 4,809.87 |
| 670 · PORT CONST FUND EXPENDITURES | |
| 70100 · PORT CONST. CAPITAL OUTLAY | |
| 70700 · Land Improvement - Port Const. | |
| 70701.3 · Services | 39,963.02 |
| Total 70700 · Land Improvement - Port Const. | 39,963.02 |
| Total 70100 · PORT CONST. CAPITAL OUTLAY | 39,963.02 |
| Total 670 · PORT CONST FUND EXPENDITURES | 39,963.02 |
| Total Expense | 528,143.20 |
| Net Income | -172,453.92 |

**Port of Brookings Harbor
Profit & Loss Budget Performance FY 2022-2023**

Cash Basis

July through December 2022

| | Jul - Dec 22 | Budget | % of Budget |
|--|---------------------|---------------------|---------------|
| Income | | | |
| 400 · REVENUES | | | |
| 401 · GENERAL FUND REVENUES | | | |
| 10411 · Cash Carry Over | 337,247.33 | 490,000.00 | 68.8% |
| 10412 · Property Tax Current | 246,602.87 | 250,000.00 | 98.6% |
| 10413 · Property Tax Prior | 6,015.88 | 10,000.00 | 60.2% |
| 10414 · Interest General Fund | 2,069.62 | 2,000.00 | 103.5% |
| 10417 · Assets Sales | 174,236.00 | 10,000.00 | 1,742.4% |
| 10418 · Miscellaneous | 19,381.38 | 66,000.00 | 29.4% |
| 10420 · Grants & Other Funding - GF | 50,000.00 | 20,000.00 | 250.0% |
| Total 401 · GENERAL FUND REVENUES | 835,553.08 | 848,000.00 | 98.5% |
| 402 · GENERAL FUND PROGRAM REVENUES | | | |
| 10421 · MARINA | | | |
| 10421.2 · MOORAGE | | | |
| 10421.3 · Commercial Slip Rent | 57,729.02 | | |
| 10421.4 · Recreational Slip Rent | 165,694.82 | | |
| 10421.5 · Transient | 5,395.61 | 0.00 | 100.0% |
| 10421.6 · Other Moorage | 8,295.00 | | |
| Total 10421.2 · MOORAGE | 237,114.45 | 0.00 | 100.0% |
| 10422 · Boat Launch | 18,134.00 | | |
| 10423 · STORAGE | | | |
| 10423.1 · Gear Storage | 22,304.24 | | |
| 10423.2 · Boat Storage | 17,601.00 | | |
| 10423 · STORAGE - Other | 150.00 | | |
| Total 10423 · STORAGE | 40,055.24 | | |
| 10424 · ADMINISTRATIVE FEES | 4,073.95 | 0.00 | 100.0% |
| 10425 · MARINE SERVICES | | | |
| 10425.1 · Travelift | 25,850.00 | 0.00 | 100.0% |
| 10425.2 · 12 K Telehandler | 3,258.00 | 0.00 | 100.0% |
| 10425.3 · Other Sales & Fees | 14,265.78 | | |
| 10425.4 · Public Hoist | 1,098.45 | | |
| 10425 · MARINE SERVICES - Other | 0.00 | 0.00 | 0.0% |
| Total 10425 · MARINE SERVICES | 44,472.23 | 0.00 | 100.0% |
| 10426 · EVENTS ON PORT PROPERTY | 3,166.00 | | |
| 10421 · MARINA - Other | 0.00 | 842,000.00 | 0.0% |
| Total 10421 · MARINA | 347,015.87 | 842,000.00 | 41.2% |
| 10427 · BEACHFRONT RV PARK | | | |
| 10427.1 · Space Rental | 211,737.50 | 0.00 | 100.0% |
| 10427.2 · Other Sales & Fees | 24,751.75 | 0.00 | 100.0% |
| 10427 · BEACHFRONT RV PARK - Other | 0.00 | 800,000.00 | 0.0% |
| Total 10427 · BEACHFRONT RV PARK | 236,489.25 | 800,000.00 | 29.6% |
| 10428 · COMMERCIAL RETAIL | | | |
| 10428.1 · Retail Property | 158,975.55 | 0.00 | 100.0% |
| 10428.2 · Docks | 86,001.41 | 0.00 | 100.0% |
| 10428.3 · CPI and Other Fees | 37,543.18 | 0.00 | 100.0% |
| 10428 · COMMERCIAL RETAIL - Other | 0.00 | 635,000.00 | 0.0% |
| Total 10428 · COMMERCIAL RETAIL | 282,520.14 | 635,000.00 | 44.5% |
| 10429 · FUEL DOCK | 492,097.22 | 1,050,000.00 | 46.9% |
| Total 402 · GENERAL FUND PROGRAM REVENUES | 1,358,122.48 | 3,327,000.00 | 40.8% |
| 420 · USDA REVENUE BOND FUND | | | |
| 20411 · Cash Carry Over - USDA Revenue | 102,841.78 | 102,820.00 | 100.0% |
| 20414 · Interest Revenue Bond Fund | 794.86 | 840.00 | 94.6% |
| 20419 · Transfer to USDA Bond Fund | 65,058.00 | 130,120.00 | 50.0% |
| Total 420 · USDA REVENUE BOND FUND | 168,694.64 | 233,780.00 | 72.2% |
| 430 · DEBT SERVICE FUND REVENUE | | | |
| 30411 · Cash Carry Over - Debt Service | 23,094.07 | 23,100.00 | 100.0% |
| 30414 · Interest Debt Service Fund | 470.68 | 616.00 | 76.4% |
| 30419 · Transfer to Debt Service Fund | 191,752.26 | 391,484.00 | 49.0% |
| Total 430 · DEBT SERVICE FUND REVENUE | 215,317.01 | 415,200.00 | 51.9% |
| 440 · CAPITAL PROJECTS FUND REVENUE | | | |
| 40411 · Cash Carry Over - Capt Proj | 0.00 | 2,500.00 | 0.0% |
| 40416 · Government Funding | | | |

**Port of Brookings Harbor
Profit & Loss Budget Performance FY 2022-2023**

Cash Basis

July through December 2022

| | Jul - Dec 22 | Budget | % of Budget |
|--|---------------------|---------------------|---------------|
| 40416.2 · FEMA Funding | 66,460.92 | 3,580,000.00 | 1.9% |
| 40416.3 · State Lottery Funding | 0.00 | 0.00 | 0.0% |
| Total 40416 · Government Funding | 66,460.92 | 3,580,000.00 | 1.9% |
| 40419 · Transfer to Capital Project | 0.00 | 0.00 | 0.0% |
| Total 440 · CAPITAL PROJECTS FUND REVENUE | 66,460.92 | 3,582,500.00 | 1.9% |
| 450 · RESERVE FUND REVENUE | | | |
| 50411 · Cash Carry Over - Reserve Fund | 215,799.89 | 215,700.00 | 100.0% |
| 50414 · Interest Reserve Fund | 1,762.24 | 1,500.00 | 117.5% |
| 50419 · Transfer to Reserve Fund | 236,236.00 | 26,000.00 | 908.6% |
| Total 450 · RESERVE FUND REVENUE | 453,798.13 | 243,200.00 | 186.6% |
| 460 · DEBT SERV. RV PARK IMPROV. FUND | | | |
| 60419 · Transfer OR FFC 2020 Debt Serv. | 28,859.22 | 57,720.00 | 50.0% |
| Total 460 · DEBT SERV. RV PARK IMPROV. FUND | 28,859.22 | 57,720.00 | 50.0% |
| 470 · PORT CONSTRUCTION FUND REVENUE | | | |
| 70411 · Cash Carry Over - Port Const. | 574,018.64 | 572,000.00 | 100.4% |
| 70414 · Interest Port Construction Fund | 3,752.63 | 1,170.00 | 320.7% |
| Total 470 · PORT CONSTRUCTION FUND REVENUE | 577,771.27 | 573,170.00 | 100.8% |
| Total 400 · REVENUES | 3,704,576.75 | 9,280,570.00 | 39.9% |
| Total Income | 3,704,576.75 | 9,280,570.00 | 39.9% |
| Gross Profit | 3,704,576.75 | 9,280,570.00 | 39.9% |
| Expense | | | |
| 600 · GENERAL FUND EXPENDITURES | | | |
| 10900 · Operating Transfers Out General | 521,905.48 | 605,324.00 | 86.2% |
| 500 · PERSONNEL SERVICES | | | |
| 10502 · Office Staff | 89,946.73 | 289,000.00 | 31.1% |
| 10504 · Operations Staff | 112,769.38 | 267,800.00 | 42.1% |
| 10506 · Overtime | 2,253.39 | 8,000.00 | 28.2% |
| 10508 · Payroll Taxes/Costs/Benefits | | | |
| 10508.1 · Paid Holidays | 6,722.68 | 0.00 | 100.0% |
| 10508.2 · Sick Leave Benefit | 1,385.77 | 0.00 | 100.0% |
| 10508.3 · Vacation | 18,565.85 | 0.00 | 100.0% |
| 10508.4 · Payroll Taxes | 23,067.31 | 0.00 | 100.0% |
| 10508.5 · SEP Retirement | 21,800.81 | 0.00 | 100.0% |
| 10508 · Payroll Taxes/Costs/Benefits - Other | 0.00 | 193,300.00 | 0.0% |
| Total 10508 · Payroll Taxes/Costs/Benefits | 71,542.42 | 193,300.00 | 37.0% |
| 10510 · Health Care and Dental | 49,083.11 | 106,600.00 | 46.0% |
| 10512 · Workers Compensation | 20,639.83 | 22,000.00 | 93.8% |
| Total 500 · PERSONNEL SERVICES | 346,234.86 | 886,700.00 | 39.0% |
| 601 · GENERAL FUND Material & Service | | | |
| 10601 · ADVERTISING & NOTIFICATIONS | 2,763.09 | 5,624.00 | 49.1% |
| 10602 · REPAIRS & MAINTENANCE | | | |
| 10602.1 · Equip. Repair/Maintenance | 28,011.07 | 0.00 | 100.0% |
| 10602.2 · Supplies | 65,286.49 | 0.00 | 100.0% |
| 10602.3 · Services | 56,601.92 | 0.00 | 100.0% |
| 10602 · REPAIRS & MAINTENANCE - Other | 0.00 | 635,490.00 | 0.0% |
| Total 10602 · REPAIRS & MAINTENANCE | 149,899.48 | 635,490.00 | 23.6% |
| 10603 · FUEL purchased for resale | 460,493.40 | 924,000.00 | 49.8% |
| 10605 · UTILITIES | | | |
| 10605.1 · Electric | 39,974.09 | 0.00 | 100.0% |
| 10605.2 · RV Park Cable TV | 3,332.40 | 0.00 | 100.0% |
| 10605.3 · Sanitary | 22,896.03 | 0.00 | 100.0% |
| 10605.5 · Telecommunications | 6,174.90 | 0.00 | 100.0% |
| 10605.6 · Waste Removal | 50,926.76 | 0.00 | 100.0% |
| 10605.7 · Water | 9,653.25 | 0.00 | 100.0% |
| 10605 · UTILITIES - Other | 0.00 | 379,164.00 | 0.0% |
| Total 10605 · UTILITIES | 132,957.43 | 379,164.00 | 35.1% |
| 10606 · OFFICE EXPENSE | 9,725.71 | 51,032.00 | 19.1% |
| 10607 · BANK SERVICE & FINANCE FEES | 24,869.02 | 64,134.00 | 38.8% |
| 10608 · TRAINING & TRAVEL | 1,663.58 | 8,453.00 | 19.7% |
| 10609 · PERMITS, LICENSES, TAXES & MISC | 42,102.92 | 46,089.00 | 91.4% |

**Port of Brookings Harbor
Profit & Loss Budget Performance FY 2022-2023**

Cash Basis

July through December 2022

| | Jul - Dec 22 | Budget | % of Budget |
|--|---------------------|---------------------|---------------|
| 10610 · INSURANCE; PROP & CAS, BOND | 62,013.48 | 126,314.00 | 49.1% |
| 10611 · PROFESSIONAL FEES | | | |
| 10611.1 · Accounting/Auditing | 15,325.00 | 0.00 | 100.0% |
| 10611.2 · Attorney | 49,964.00 | 0.00 | 100.0% |
| 10611.3 · Engineering | 45,378.37 | 0.00 | 100.0% |
| 10611.4 · Other Support/Consultant | 9,179.55 | 0.00 | 100.0% |
| 10611 · PROFESSIONAL FEES - Other | 0.00 | 175,000.00 | 0.0% |
| Total 10611 · PROFESSIONAL FEES | 119,846.92 | 175,000.00 | 68.5% |
| 601 · GENERAL FUND Material & Service - Other | 376.58 | | |
| Total 601 · GENERAL FUND Material & Service | 1,006,711.61 | 2,415,300.00 | 41.7% |
| 710 · GENERAL FUND CAPITAL OUTLAY | | | |
| 10702 · Land Improvements | 20,560.75 | | |
| 10704 · Equipment | 7,105.73 | 0.00 | 100.0% |
| 710 · GENERAL FUND CAPITAL OUTLAY - Other | 0.00 | 25,000.00 | 0.0% |
| Total 710 · GENERAL FUND CAPITAL OUTLAY | 27,666.48 | 25,000.00 | 110.7% |
| 920 · OPERATING CONTINGENCY | 0.00 | 217,676.00 | 0.0% |
| Total 600 · GENERAL FUND EXPENDITURES | 1,902,518.43 | 4,150,000.00 | 45.8% |
| 620 · USDA REVENUE BOND EXPENDITURES | | | |
| 20801P · USDA Revenue Bond Principal | 83,913.19 | 83,913.00 | 100.0% |
| 20810I · USDA Revenue Bond Interest | 46,206.81 | 46,207.00 | 100.0% |
| Total 620 · USDA REVENUE BOND EXPENDITURES | 130,120.00 | 130,120.00 | 100.0% |
| 630 · DEBT SERVICE FUND EXPENDITURES | | | |
| 30802P · IFA PRINCIPAL | | | |
| 30802.1 · OBDD #520139/Boardwalk Prin | 7,586.92 | 0.00 | 100.0% |
| 30802.2 · OBDD #525172/RV Park Prin. | 6,841.84 | 0.00 | 100.0% |
| 30802.3 · OBDD #525176/Green Bldg Prn | 12,048.18 | 0.00 | 100.0% |
| 30802.4 · OBDD #525181/EurekaFish Prn | 7,825.96 | 0.00 | 100.0% |
| 30802.5 · SPWF #L02009/Cold Strg Prin | 111,327.24 | 0.00 | 100.0% |
| 30802.8 · SPWF L02001/MarineFuel Dock Prn | 0.00 | 0.00 | 0.0% |
| 30802.9 · SPWF X03004/Eureka Fishery Prin | 9,369.86 | 0.00 | 100.0% |
| 30802P · IFA PRINCIPAL - Other | 0.00 | 318,000.00 | 0.0% |
| Total 30802P · IFA PRINCIPAL | 155,000.00 | 318,000.00 | 48.7% |
| 801 · Principal | | | |
| 30803P · 50 BFMII Travelift Principal | 26,262.57 | 53,293.00 | 49.3% |
| 30804P · 2018 Genie Forklift Principal | 7,566.78 | 15,374.00 | 49.2% |
| Total 801 · Principal | 33,829.35 | 68,667.00 | 49.3% |
| 810 · Interest Payments | | | |
| 30813I · 50 BFMII Travelift Interest | 1,691.43 | 2,623.00 | 64.5% |
| 30814I · 2018 Genie Forklift Interest | 1,221.48 | 2,210.00 | 55.3% |
| Total 810 · Interest Payments | 2,912.91 | 4,833.00 | 60.3% |
| Total 630 · DEBT SERVICE FUND EXPENDITURES | 191,742.26 | 391,500.00 | 49.0% |
| 640 · CAPT. PROJ. EXPENDITURES | | | |
| 40602 · Materials & Services Capt Proj | 0.00 | 0.00 | 0.0% |
| 740 · CAPT. PROJ. CAPITAL OUTLAY | | | |
| 40702 · Land Improvement - Capt Proj | | | |
| 40702.1 · Engineering/Consultants | 47,772.00 | 0.00 | 100.0% |
| 40702.2 · Supplies | 0.00 | 0.00 | 0.0% |
| 40702 · Land Improvement - Capt Proj - Other | 0.00 | 3,580,000.00 | 0.0% |
| Total 40702 · Land Improvement - Capt Proj | 47,772.00 | 3,580,000.00 | 1.3% |
| Total 740 · CAPT. PROJ. CAPITAL OUTLAY | 47,772.00 | 3,580,000.00 | 1.3% |
| Total 640 · CAPT. PROJ. EXPENDITURES | 47,772.00 | 3,580,000.00 | 1.3% |
| 650 · RESERVE FUND EXPENDITURES | | | |
| 50200 · RESERVE for FUTURE EXPENDITURE | 0.00 | 243,200.00 | 0.0% |
| Total 650 · RESERVE FUND EXPENDITURES | 0.00 | 243,200.00 | 0.0% |
| 660 · DEBT SERV. RV PARK EXPENDITURES | | | |
| 60806P · RV Park Improv. Loan Principal | 19,804.09 | 39,900.00 | 49.6% |
| 60815I · RV Park Improv. Loan Interest | 9,055.13 | 17,820.00 | 50.8% |
| Total 660 · DEBT SERV. RV PARK EXPENDITURES | 28,859.22 | 57,720.00 | 50.0% |

**Port of Brookings Harbor
Profit & Loss Budget Performance FY 2022-2023**

Cash Basis

July through December 2022

| | Jul - Dec 22 | Budget | % of Budget |
|--|--------------|--------------|-------------|
| 670 · PORT CONST FUND EXPENDITURES | | | |
| 70100 · PORT CONST. CAPITAL OUTLAY | | | |
| 70700 · Land Improvement - Port Const. | | | |
| 70701.3 · Services | 255,002.91 | | |
| 70700 · Land Improvement - Port Const. - Other | 0.00 | 0.00 | 0.0% |
| Total 70700 · Land Improvement - Port Const. | 255,002.91 | 0.00 | 100.0% |
| 70100 · PORT CONST. CAPITAL OUTLAY - Other | 0.00 | 573,170.00 | 0.0% |
| Total 70100 · PORT CONST. CAPITAL OUTLAY | 255,002.91 | 573,170.00 | 44.5% |
| Total 670 · PORT CONST FUND EXPENDITURES | 255,002.91 | 573,170.00 | 44.5% |
| 930 · Fund Balances | | | |
| 10930 · Unappropriated Balance GF | 0.00 | 25,000.00 | 0.0% |
| 20930 · Unappropriated Balance-USDA | 0.00 | 103,660.00 | 0.0% |
| 30930 · Unappropriated Balance Debt | 0.00 | 23,700.00 | 0.0% |
| 40930 · Unappropriated Balance Capt Pro | 0.00 | 2,500.00 | 0.0% |
| Total 930 · Fund Balances | 0.00 | 154,860.00 | 0.0% |
| Total Expense | 2,556,014.82 | 9,280,570.00 | 27.5% |
| Net Income | 1,148,561.93 | 0.00 | 100.0% |

Port of Brookings Harbor
Purchases by Vendor Summary
 December 2022

| | Dec 22 |
|---|-------------------|
| ADP | 145.83 |
| Amazon Capital Services | 634.36 |
| Anchor Lock & Key | 258.00 |
| AutoZone, Inc. | 10.36 |
| BI-MART | 13.76 |
| C.J. Huntsman CPA, P.C. | 7,695.00 |
| Chetco Automotive | 170.59 |
| Coos-Curry Electric Cooperative, Inc. | 8,539.31 |
| Country Media, Inc. | 53.40 |
| Crow/Clay & Associates, Inc | 968.30 |
| Curry Transfer & Recycling | 3,479.32 |
| Del-Cur Supply Co-op | 460.36 |
| Elavon | 1,612.56 |
| EMC-Engineers/Scientists, LLC | 12,436.00 |
| Firefly Reservations | 218.00 |
| Four Aces Security Solutions LLC | 2,688.30 |
| Gerald W. Burns, CPA | 1,000.00 |
| Gold Beach Lumber Yard, Inc. | 1,101.79 |
| Harbor Logging Supply, Inc. | 310.02 |
| Harbor Sanitary District | 2,845.20 |
| Harbor Water District P.U.D. | 1,433.51 |
| HD SUPPLY FACILITIES | 887.20 |
| John Kellum/John's Portable Welding | 262.50 |
| Kendrick Equipment USA LLC | 4,522.95 |
| McLennan Excavation, Inc. | 39,963.02 |
| Miller Nash LLP | 13,971.00 |
| NAPA Auto Part | 11.92 |
| Oregon Secretary of State | 250.00 |
| Pacific Office Automation | 236.84 |
| Pape Material Handling | 1,897.33 |
| Pitney Bowes Global Lease | 423.09 |
| Pitney Bowes, Inc. | 418.99 |
| Pump Pipe & Tank Services, LLC | 288.00 |
| Quill Corporation | 740.92 |
| Rentprep Enterprise/Fidelis Screening | 99.75 |
| SDAO Spec. Dist. Assoc. OR - Healthcare | 9,497.67 |
| SDAO Spec. Dist. Assoc. OR - Prop & Cas | 10,328.56 |
| SDAO Spec. Dist. Assoc. OR - Training | 1,473.90 |
| SimpliSafe | 17.99 |
| Spectrum Business 8752 19 060 0247029 | 124.98 |
| Spectrum Business 8752 19 060 0251369 | 132.97 |
| Thermo Fluids, Inc. | 57.75 |
| Tidewater Contractors, Inc. | 1,260.00 |
| Tyree Oil, Inc | 33,412.00 |
| US Bank Equipment Finance | 297.12 |
| US Relay/HD Relay | 99.00 |
| Vonage | 292.44 |
| Ziplay Fiber 541-412-7930-102902-5 | 42.76 |
| Ziplay Fiber 541-469-5867-121516-5 | 78.12 |
| TOTAL | 167,162.74 |

ACTION ITEM – A

DATE: January 18, 2023
RE: Resolution 2023-01, Registered Agent
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Travis Webster, Port Manager

OVERVIEW

- Remove, Gary Dehlinger, and add Travis Webster as the registered agent with the Secretary of State.

DOCUMENTS

- Resolution 2023-01, 2 pages

COMMISSIONERS ACTION

- **Recommended Motion:**
Motion to approve Resolution 2023-01, Approval of Registered Agent

**PORT OF BROOKINGS HARBOR
CURRY COUNTY, OREGON**

RESOLUTION NO. 2023-01

APPOINTMENT OF REGISTERED AGENT

WHEREAS, the previously appointed Registered Agent for the Port of Brookings Harbor, Gary Dehlinger, former Port Manager, and

WHEREAS, ORS 198.340 required that a Registered Office and Registered Agent be designated by the Port of Brookings Harbor; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1) The Registered Office is the Port Office with address as follows:

Port of Brookings Harbor
16330 Lower Harbor Road
Post Office Box 848
Brookings, Oregon 97415

- 2) The Registered Agent is the Port Manager, Travis Webster.

APPROVED and ADOPTED, and made effective the same day, by the Board of Commissioners of the Port of Brookings Harbor and made effective this 18th day of January, 2023.

ATTEST:

Richard Heap, President

Sharon Hartung, Secretary/Treasurer

**NOTICE OF DESIGNATION
OF SPECIAL DISTRICT
REGISTERED OFFICE AND REGISTERED AGENT**

I, Richard Heap, President of Board of this district, a municipal corporation, organized under the provisions of ORS Chapter 198, certify that:

1. Pursuant to a resolution of the District Board, duly adopted, the registered office of this district:

16330 Lower Harbor Road
P.O. Box 848, Brookings, Oregon 97415

2. The registered agent in Oregon at such registered office is:

Travis Webster

In WITNESS WHEREOF, this district has caused this instrument to be executed in its name by the President of the Board of the District this 18th day of January, 2023.

Port of Brookings Harbor

By: Richard Heap, President of the Board

STATE OF OREGON)
) ss.
County of Curry)

Signed before me on January 19, 2023 by _____ Richard Heap, President of the Board.

Notary Public – Oregon
My Commission Expires: _____

INSTRUCTIONS: A new form must be filed each time a change is made in either the registered agent or the registered office. There is no fee for filing this form. Please send the form to:

Secretary of State
Archives Division
800 Summer St. NE
Salem, OR 97310

ACTION ITEM – B

DATE: January 18, 2023
RE: Art on the Coast
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Travis Webster, Port Manager

OVERVIEW

- First event was held in 2022 and was charged the normal rates.
- Asking the Board for a reduced rate for 2023's event.

DOCUMENTS

- Email from Laura Brown, 1 page
- CASA Donation Letter 2022, 3 pages
- Event Application, 1 page

COMMISSIONERS ACTION

- **Recommended Motion:**
Motion to approve



Travis Webster <travis@portofbrookingsharbor.com>

Fwd: Art on the Coast

1 message

Port Office <info@portofbrookingsharbor.com>

Fri, Dec 23, 2022 at 8:43 AM

To: Travis Webster <travis@portofbrookingsharbor.com>, Danielle King <danielle@portofbrookingsharbor.com>

----- Forwarded message -----

From: **Laura Brown** <artonthecoastbrookings@gmail.com>

Date: Thu, Dec 22, 2022 at 6:15 PM

Subject: Art on the Coast

To: info@portofbrookingsharbor.com <info@portofbrookingsharbor.com>

Dear Travis Webster,

We at the Art on the Coast would like to be considered for a reduced fee for future festivals due to all of our profits going to CASA foundation for children.

Attached you will find the letter we supplied to CASA with our \$4K donation this year.

Please submit this request to your next board meeting. Any questions, please feel free to contact Laura Brown at 720.320.0376.

Thanks in advance and Happy Holidays to all!

Art on the Coast in the Port of Brookings-Harbor

 **CASA donation letter 2022.docx**
371K

34



PO Box 965
Brookings, Oregon 97415

artonthecoastbrookings@gmail.com

September 5, 2022

Dear Tolowa Dee-ni' Nation,

On behalf of the volunteers behind the first annual Art on the Coast, we would like to take this opportunity to thank you for the generous sponsorship that you provided. Art on the Coast was a huge success providing a much-needed venue for the arts coupled with a fantastic fund raiser for CASA of Coos and Curry Counties. Through your sponsorship, CASA was presented with a \$4000 check from our proceeds. As a sponsor your contribution is vital for CASA's important work of helping kids who are in foster care in Curry County. They cannot succeed without the generosity of supporters like you. You have truly made a difference.

We hope that you will want to continue to be a sponsor of Art on the Coast in the future. We will be having our event on August 5th and 6th, 2023, and have already began planning. Please say yes when we contact you next year for sponsorship.

Thank you so much!

Art on the Coast and CASA of Coos and Curry County



Brookings Chrysler Dodge Jeep Ram

Blooms Floral Shop
Coastal Copiers
Brookings Furniture
Poncho's Restaurante and Cantina
Mattie's Pancake House
Curry Transfer and Recycle
Fat Irish Kitchen and Pub
Fred Meyer

Art on the Coast and CASA of Coos and Curry County



Port of Brookings Harbor

16330 Lower Harbor Road / PO Box 848
Brookings, Oregon 97415
Phone (541) 469-2218
Fax (541) 359-3999
www.portofbrookingsharbor.com

Board of Commissioners

Richard Heap, President
Joseph Speir, Vice-President
Sharon Hartung,
Secretary/Treasurer
Kenneth Range
Larry Jonas

Port of Brookings Harbor Event Permit and Use Agreement

RECEIVED

AUG 17 2022

This Event Permit and Use Agreement ("Agreement") is made this 17 day of AUGUST, 2022, by and between the Port of Brookings Harbor, an Oregon special district ("POBH") and:

Organization: ART ON THE COAST

Address: PO 965 BROOKINGS OR 97415

Responsible Person: LAURA BROWN

Phone: 720.320.0376 Email: ESTESLAURA@gmail.com

hereinafter referred to as "Permittee," for a non-assignable permit to use and occupy that portion of the Port of Brookings Harbor property described herein below:

Activity: ART FESTIVAL Location: PORT OF BROOKINGS HARBOR

Usage Usage
Date(s): 8.5.23 to 8.6.23 Times: 10 am to 5 pm

Insurance Company: GERALD ROSS Policy No.: _____

8/4/23 @ 3PM

I. PERMIT TO USE

A. **Event Permit.** On the terms and conditions set forth below, the POBH Board of Commissioners grants to Permittee, its employees, agents, contractors, and invitees a permit to use and occupy the following facilities ("Event Permit") at POBH described as (check box for one or more facilities):

Port of Brookings Harbor Permit Fees

| ✓ | Area | Rate Per Day | # of Days | Total |
|---|------------------|----------------|-----------|-----------|
| ✓ | Boardwalk | \$650.00/Day | 2 | \$ 1300 - |
| | Saturday Market | \$11.00/Vendor | | \$ |
| | Car Shows | \$6.00/Vehicle | | \$ |
| | Other: | | | \$ |
| | TOTAL PERMIT FEE | | | \$ 1300 - |

ALL PROCEEDS GO TO CASA FOR KIDS. PLEASE CONSIDER
A REDUCED RATE FOR A NON-PROFIT - THANKS! Page 1 of 7



ACTION ITEM – C

DATE: January 18, 2023
RE: Mountain View Motorcycle Shop Lease
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Travis Webster, Port Manager

OVERVIEW

- Lease has been month to month since December 31, 2021.
- Received cancelled insurance letter January 3, 2023.
- January 5, 2023 received email from AI Mills stating to terminate month to month lease.
- Has already vacated building, leaving it pretty much empty.
- Port will ensure that utility companies and county are aware of the termination.

DOCUMENTS

- Cancelled Insurance Letter, 1 page
- Email from AI Mills, 2 pages
- Outstanding Invoices/Statement, 2 pages
- Lease with Amendments, 18 pages
- Pictures of building currently, 7 pages

COMMISSIONERS ACTION

- **Recommended Motion:**
Motion to approve termination of lease with AI Mills dba Mountain View Custom Cycles LLC and Rebel Ink Tattoo Studio LLC and Barber Shop.

Gerald Ross Agency, Inc.
P.O.Box 5510
Brookings, OR 97415
Phone: (541)469-3144
Fax: (541)469-6416

January 03, 2023

Port of Brookings-Harbor
PO Box 848
Brookings, OR 97415

RE: Company: **Liberty Mutual Insurance**
Policy Number: **BLS65469839**

Please be advised that effective 01/03/2022, the above insured has cancelled the insurance on the building.

We are therefore rescinding the Certificate of Insurance in your favor.

Sincerely,

Pat Shurtleff
Gerald Ross Agency, Inc.



Travis Webster <travis@portofbrookingsharbor.com>

Re: Invoice 20221960 from Port of Brookings Harbor

2 messages

Port Office <info@portofbrookingsharbor.com>
To: T Fun <mountainviewcustomcycles@gmail.com>
Cc: Travis Webster <travis@portofbrookingsharbor.com>

Wed, Jan 4, 2023 at 3:04 PM

Good afternoon AI,

Regarding your response, are you wishing to terminate your month-to-month lease at this time? If so, I will let Port Management know so that they can review your lease terms.

I have taken the January 2023 lease invoice off of your account, until your lease terms are reviewed by Port Management; however, you do have an outstanding balance due with the Port, a statement is attached. Please remit payment immediately for past due invoices and finance charges.

Thank you,
April

April Walker
Moorage Manager
Port of Brookings Harbor
PO Box 848
Brookings, OR 97415
(541) 469-2218

On Wed, Jan 4, 2023 at 10:59 AM T Fun <mountainviewcustomcycles@gmail.com> wrote:
I have been out of building since 01/02/2023.

On Wed, Jan 4, 2023, 8:55 AM <info@portofbrookingsharbor.com> wrote:

Port of Brookings Harbor

Invoice *Due:01/01/2023*
20221960

Amount Due: **\$755.60**

Dear AI Mills:

Your invoice-20221960 for 755.60 is attached. Please remit payment at your earliest convenience.

Thank you for your business - we appreciate it very much.

Sincerely,
Port of Brookings Harbor

(541) 469-2218
www.portofbrookingsharbor.com

Statement as of 1.4.2023.pdf
353K

1/10/23, 10:28 AM

Port Office Mail - Re: Invoice 20221960 from Port of Brookings Harbor

To: Travis Webster <travis@portofbrookingsharbor.com>

See below email response from Al Mills regarding lease termination.

Thank you,
April

----- Forwarded message -----

From: **T Fun** <mountainviewcustomcycles@gmail.com>

Date: Thu, Jan 5, 2023 at 7:31 PM

Subject: Re: Invoice 20221960 from Port of Brookings Harbor

To: Port Office <info@portofbrookingsharbor.com>

Yes terminate the month to month lease.

[Quoted text hidden]



Port of Brookings Harbor

PO Box 848
Brookings, OR 97415

Statement

Date

1/4/2023

To:

Mountain View Custom Cycles
ATTN: Al Mills
PO Box 8071
Brookings, OR 97415

| Amount Due | Amount Enc. |
|------------|-------------|
| \$3,250.10 | |

| Date | Transaction | Amount | Balance | | |
|------------|--|------------|------------|--------------|------------|
| 09/01/2022 | INV #20221400. Due 09/01/2022. Orig. Amount \$755.91. SEPTEMBER 2022 LEASE --- Warehouse - Shop, 1,177 @ \$0.5459 = 642.52 --- Surfaced Asphalt, 150 @ \$0.32753 = 49.13 --- CPI-U/Increase 2022 \$31.12 --- C/R Sewer Utility \$33.14 --- Tax: Lodging Tax @ 8.8% = 0.00 | 539.63 | 539.63 | | |
| 10/01/2022 | INV #20221619. Due 10/01/2022. Orig. Amount \$755.91. OCTOBER 2022 LEASE --- Warehouse - Shop, 1,177 @ \$0.5459 = 642.52 --- Surfaced Asphalt, 150 @ \$0.32753 = 49.13 --- CPI-U/Increase 2022 \$31.12 --- C/R Sewer Utility \$33.14 --- Tax: Lodging Tax @ 8.8% = 0.00 | 755.91 | 1,295.54 | | |
| 11/01/2022 | INV #20221712. Due 11/01/2022. Orig. Amount \$1,098.34. NOVEMBER 2022 LEASE --- Warehouse - Shop, 1,177 @ \$0.5459 = 642.52 --- Surfaced Asphalt, 150 @ \$0.32753 = 49.13 --- CPI-U/Increase 2022 \$31.12 --- C/R Sewer Utility \$33.14 --- Real Property Tax \$342.43 --- Tax: Lodging Tax @ 8.8% = 0.00 | 1,098.34 | 2,393.88 | | |
| 11/30/2022 | INV #FC 1576. Due 11/30/2022. Orig. Amount \$46.32. Finance Charge --- Fin Chg \$46.32 --- Invoice #20221400 for 539.63 on 09/01/2022 --- Invoice #20221619 for 755.91 on 10/01/2022 | 46.32 | 2,440.20 | | |
| CURRENT | 1-30 DAYS | 31-60 DAYS | 61-90 DAYS | OVER 90 DAYS | Amount Due |
| 53.99 | 0.00 | 802.23 | 1,098.34 | 1,295.54 | \$3,250.10 |

Port of Brookings Harbor • 16330 Lower Harbor Road • P. O. Box 848 Brookings, Oregon 97415
(541) 469-2218 • info@portofbrookingsharbor.com
www.portofbrookingsharbor.com

This institution is an Equal Opportunity Provider

43



Port of Brookings Harbor
 PO Box 848
 Brookings, OR 97415

Statement

Date
 1/4/2023

To:

Mountain View Custom Cycles
 ATTN: Al Mills
 PO Box 8071
 Brookings, OR 97415

| Amount Due | Amount Enc. |
|------------|-------------|
| \$3,250.10 | |

| Date | Transaction | Amount | Balance | | |
|----------------|--|-------------------|-------------------|---------------------|-------------------|
| 12/01/2022 | INV #20221835. Due 12/01/2022. Orig. Amount \$755.91. DECEMBER 2022 LEASE --- Warehouse - Shop, 1,177 @ \$0.5459 = 642.52 --- Surfaced Asphalt, 150 @ \$0.32753 = 49.13 --- CPI-U/Increase 2022 \$31.12 --- C/R Sewer Utility \$33.14 --- Tax: Lodging Tax @ 8.8% = 0.00 | 755.91 | 3,196.11 | | |
| 01/04/2023 | INV #FC 1596. Due 01/04/2023. Orig. Amount \$53.99. Finance Charge --- Fin Chg \$53.99 --- Invoice #20221400 for 539.63 on 09/01/2022 --- Invoice #20221619 for 755.91 on 10/01/2022 --- Invoice #20221712 for 1,098.34 on 11/01/2022 --- Invoice #20221835 for 755.91 on 12/01/2022 | 53.99 | 3,250.10 | | |
| CURRENT | 1-30 DAYS | 31-60 DAYS | 61-90 DAYS | OVER 90 DAYS | Amount Due |
| 53.99 | 0.00 | 802.23 | 1,098.34 | 1,295.54 | \$3,250.10 |

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44

**COMMERCIAL LEASE AGREEMENT
AMENDMENT NO. 1**

This lease amendment ("Amendment") is entered into by and between the Port of Brookings Harbor ("Landlord") and AI Mills dba **Mountain View Custom Cycles LLC and Rebel Ink Tattoo Studio LLC** ("Tenant") to amend the terms of the commercial lease dated February 1, 2017.

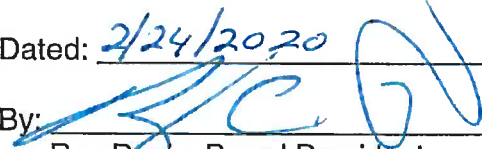
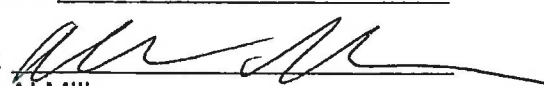
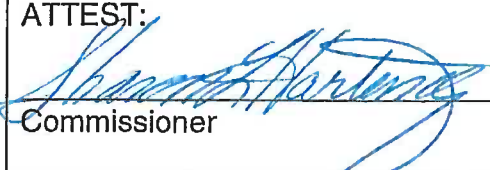
1. AMENDMENTS. The following terms of the commercial lease agreement are amended as follows:

Section 3. Use. Tenant shall use the Premises as a custom motorcycle construction and repair shop, walk-in tattoo artist studio and **barber shop**, to conduct the business affairs associated with the above listed business enterprises, and for no other purpose without Landlord's written consent. In connection with its use, Tenant shall at its expense promptly comply with all applicable laws, ordinances, rules and regulations of any public authority and not annoy, obstruct or interfere with the rights of other tenants of the Landlord. Tenant, or its licensees, employees, or invitees, shall not create, maintain or permit any nuisance or allow any objectionable fumes, noise, or vibrations to be emitted from the Premises. Tenant shall not conduct any activities that will increase Landlord's insurance rates for any portion of the premises.

2. OTHER TERMS AND CONDITIONS. All other terms and conditions of the original lease agreement remain in full force and effect and remain unaffected hereby.

3. EFFECTIVE DATE. This Amendment shall be effective as of the date that it is executed.

IN WITNESS WHEREOF, the parties have entered into this agreement as of the date last below written at Brookings, Oregon.

| | |
|---|--|
| PORT OF BROOKINGS HARBOR, Landlord | AI Mills dba Mountain View Custom Cycles LLC and Rebel Ink Tattoo Studio LLC. Tenant |
| Dated: <u>2/24/2020</u> | Dated: <u>2-24-20</u> |
| By:  Roy Davis, Board President | By:  AI Mills |
| ATTEST:  Commissioner | |

COMMERCIAL LEASE

This lease is made and entered into at Brookings, Oregon this 1st day of February, 2017, by and between Port of Brookings Harbor (the Landlord) and Al Mills, dba Mountain View Custom Cycles, and Tattoo Studio (the tenant).

Landlord hereby leases to Tenant approximately 1,325 square-feet of space for a customer motorcycle shop and tattoo studio, located at 16118 Lower Harbor Rd., Brookings, Oregon containing 1,175 square feet of indoor space and 150 square feet of outside staging and loading ramp area, herein after referred to as "the premises". The term shall commence May 1, 2017 (see Exhibit B), for a maximum combined term of 60 months commencing February 1st, 2017 and continuing through December 31th, 2021. Rental amount is payable in advance on the first day of each month commencing May 1, 2017, as described in the rent schedule (Exhibit B). Landlord grants to Tenant the option to renegotiate a new agreement for the premises, the terms and conditions of which to be negotiated on or before October 31st 2021, provided 1) Tenant is not in default; 2) Landlord is otherwise satisfied with Tenant's use of retail space in the previous agreement.

Tenant shall notify the Landlord in writing ninety (90) days prior to expiration of the lease of tenant's intent to exercise any option or to not extend the lease. Failure to provide such notice is a default and a material breach of the lease and Landlord may terminate the lease on the expiration date and retake possession of the Premises with or without process of law.

Landlord and Tenant covenant and agree as follows:

- 1. Rent Payment.** Tenant shall pay the base rent according to the attached Rent Schedule (Exhibit B) each month for the Premises and any additional rent provided herein subject only to a deduction or offset as authorized by Landlord. Base rent shall increase annually and each subsequent year of this lease as described in Exhibit B. Rent for any partial month during the lease term shall be prorated to reflect the number of days during the month that Tenant occupies the building based upon the current monthly lease rate. Additional rent means any other sums payable by Tenant to Landlord under this lease. At the end of the Lease agreement, a new Base Rent will be established. Rent not paid when due shall bear an automatic \$35.00 late fee each month if not paid by the 10th of the month due.
- 2. Lease Consideration/Security Deposit.** Upon execution of the lease, Tenant shall pay a security deposit in the amount of \$588.50. Landlord may apply the security deposit to pay the cost of performing any obligation which Tenant fails to perform within the time required by the terms of this lease, but such application by Landlord shall not be the exclusive remedy for any Tenant default. If the security deposit is applied by the Landlord as provided herein, Tenant shall on demand pay the sum necessary to replenish the security deposit to its original amount. To the extent not applied by Landlord to cure defaults by Tenant, the security deposit shall

be returned to Tenant upon termination of lease, or, by mutual agreement between Landlord and Tenant, applied against the rent payable for the last month of the term.

3. **Use.** Tenant shall use the Premises as a custom motorcycle construction and repair shop and walk-in tattoo artist studio, to conduct the business affairs associated with the above listed business enterprises, and for no other purpose without Landlord's written consent. In connection with its use, Tenant shall at its expense promptly comply with all applicable laws, ordinances, rules and regulations of any public authority and not annoy, obstruct or interfere with the rights of other tenants of the Landlord. Tenant, or its licensees, employees, or invitees, shall not create, maintain or permit any nuisance or allow any objectionable fumes, noise, or vibrations to be emitted from the Premises. Tenant shall not conduct any activities that will increase Landlord's insurance rates for any portion of the premises.
4. **Equipment.** Tenant shall install in leased Premises only such *equipment as is customary for the business described in paragraph 3 herein*, and shall not overload the floors or electrical circuits of the Premises or alter the plumbing or wiring of the building, except as reasonably necessary to install additional telephone and electrical lines, or other utilities necessary for tenant's operations. Landlord must approve in advance the location and installation of any electrical, heat generating or communication equipment or exceptionally heavy articles. Any additional air conditioning required because of heat generating equipment or special lighting installed by Tenant shall be installed and operated at Tenant's expense.
5. **Sign.** No signs, awnings, antennas, or other apparatus shall be painted on or attached to the building or anything placed on any glass or woodwork of the premises or positioned as to be visible from the outside the premises without Landlord's written approval as to design, size, location, and color. All signs installed by Tenant shall comply with Landlord's standards for signs, and all applicable codes and signs and sign hardware shall be removed upon termination of this lease with the sign location restored to its formal state unless Landlord elects to retain all or any portion thereof.
6. **Utilities and Services.** *Landlord shall furnish all utilities up to the Premises.* Tenant will maintain regular business hours Monday through Sunday, except holidays. Landscaping service for the Building area will be provided by the Landlord in accordance with the regular schedule for this Building, which schedule and service may change from time to time, but which shall be no less than once per month. Tenant shall comply with all government laws or regulations regarding the use or reduction of use of utilities on the Building. Interruption, limitation, curtailment, or rationing of services or utilities shall not be deemed an eviction or disturbance of Tenant's use and possession of the Building, render Landlord liable to Tenant for damages, or relieve Tenant from performance of Tenant's obligations

Initial *[Signature]*
Date 01/03/2017

under this lease, but Landlord shall take all reasonable steps to correct any interruption in service. Electrical service furnished to the building shall be 200amp service, unless different service already exists in the Building. Tenant will pay all his own utility bills, including, but not limited to water bills, electrical bills, sewer bills and trash.

7. Maintenance and Repair.

a. With the sole exception of Lanlord's obligations as specified in subparagraph (b) below, Tenant is at all times during the term of this lease, and at Tenant's sole cost and expense, obligated to keep the interior of the Building and every part thereof in good condition and repair; ordinary wear and tear and damage to the Building by earthquake, act of God, or the elements excepted. Landlord has no obligation and has made no promise to alter, remodel, improve, repair, decorate, or paint the Building or any part thereof, except as hereinafter listed. Landlord shall have the right to erect scaffolding and other apparatus necessary for the purpose of making repairs, and Landlord shall have no liability for interference with Tenant's use because of repairs and installations. Tenant shall have no claim against Landlord for any interruption or reduction of services or interference with Tenant's occupancy, and no such interruption or reduction shall be construed as a constructive or otherwise eviction of Tenant. Repair of damage caused by negligent or intentional acts or breach by this lease by Tenant, its employees or invitees shall be at Tenant's expense.

b. **Landlord's Obligations.** The following shall be the responsibility of Landlord:

- (1) Repairs and maintenance of the roof and gutters, exterior walls (including painting), bearing walls, structural members, floor joists, and foundation, if applicable.
- (2) Repair of sidewalks, walkways, parking areas, and only areas used in common by Tenant and Landlord.
- (3) Repair and maintenance of existing exterior water, sewage, gas and electrical services up to the point of entry to the leased Building.

c. **Tenant's Obligations.** The following shall be the responsibility of Tenant:

- (1) Except for defects in installation, for the whole lease term, repair of interior walls, ceilings, doors, windows, and related hardware, light fixtures, switches, and wiring and plumbing from the point of entry to the Building.
- (2) Any repairs necessitated by the negligence of Tenant, its agents, employees, and invitees, except as provided in Section 13 dealing with


Initial [Signature] ^{RCB}
Date 01/03/2017

waiver of subrogation, but including repairs that would otherwise be the responsibility of Landlord under Section 8.b.

- (3) Any repairs or alterations required under Tenant's obligation to comply with laws and regulations of any public authority.
- (4) All other repairs to the Building which Landlord is not required to make under Section 8.b.
- (5) If Tenant fails to perform Tenant's obligations under this paragraph 8.c or under any other paragraph of this Lease, Landlord may enter upon the Premises after ten (10) days' prior written notice to Lessee (except in case of emergency, in which no notice shall be required), perform such obligations on Tenant's behalf and put the Premises in good order, condition and repair, and the cost thereof together with interest thereon at the maximum rate then allowable by law shall be due and payable as additional rent to Landlord together with Tenant's next Base Rent installment. If Tenant fails to pay the additional rent charged as provided herein, Landlord may pay the additional rent due out of the security deposit, described in 2, above.
- (6) On the last day of the term hereof, or on any sooner termination, Tenant shall surrender the Premises to Landlord in the same condition as received, ordinary wear and tear excepted, clean and free of debris. Any damage or deterioration of the Premises shall not be deemed ordinary wear and tear if the same could have been prevented by good maintenance practices. Tenant shall repair any damage to the Premises otherwise stated in this Lease. Tenant shall leave the power panels, electrical distribution systems, lighting fixtures, and plumbing on the Premises in good operating condition.

d. **Tenant's Repairs.** Tenant may make the improvements to the leased premises as listed in Exhibit C, attached hereto and incorporated herein by this reference, upon commencement of this lease. Tenant's improvements and repairs must meet commercial building codes acceptable by Curry County Building Inspector. Tenant shall be entitled to reductions in rent up to \$1,311.00 for the actual cost of such repairs by the Tenant for the improvements and repairs. All such billings shall be provided to Landlord by Tenant and all reductions in rent authorized by Landlord shall be in writing and approved by both parties. The credit toward any rent reduction shall be from the approved billings (receipts) for materials provided by the Tenant. In no event shall Tenant be entitled to rent reduction in excess of \$1,765.50 (equal to three months rent; Feb. March, April 2017).


8. **Alterations.** Except as provided in Paragraph 7d., above, Tenant shall not make any alterations, additions, or improvements to the premises without landlord's prior written consent, which consent shall not be unreasonably withheld. Any such

Initial 
Date 01/03/2017

Tenant's employees, agents or contractors, whether such damage or injury is caused by or results from fire, steam, electricity, gas, water or rain, or from the breakage, leakage, obstruction or other defects of pipes, sprinklers, wires, appliances, plumbing, air conditioning or lighting fixtures, or from any other cause, whether said damage or injury results from conditions arising upon the Building or upon other portions of the Port, or from other sources or places and regardless of whether the cause of such damage or injury or the means of repairing the same is inaccessible to Tenant. Landlord shall not be liable for any damages arising from any act or neglect of any other Tenant, occupant or user of the Port, nor from the failure of Landlord to enforce the provisions of any other lease of the Port.

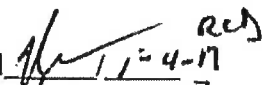
- 12. Major Damage.** Major damage means damage by fire or other casualty to the Building or Building that causes the Building or any substantial portion of the Building to be unusable, or which will cost more than twenty-five percent (25%) of the pre-damage value of the Building to repair, or which is not covered by insurance. In case of major damage, Landlord or Tenant may elect to terminate this lease by notice in writing to the other party within thirty (30) days after such date. If this lease is not terminated following major damage, or if damage occurs that is not major damage, Landlord shall promptly restore the Building to the condition existing just prior to the damage, with the exception of damage to Tenant improvements. Restoration of any Tenant improvements or alterations installed by Tenant, and in costs thereof, shall be the responsibility of the Tenant. Rent shall be reduced from the date of damage until the date restoration work being performed by the Landlord is substantially complete, with the reduction to be in proportion to the area of the Building not useable by Tenant.
- 13. Waiver of Subrogation.** Tenant shall be responsible for insuring its personal property and trade fixtures located on the Building and any alterations or Tenant improvements it has made to the Building. Neither Landlord nor Tenant shall be liable to the other for any loss or damage caused by water damage, sprinkler leakage, or any of the risks that are or could be covered by a standard all risk insurance policy with an extended coverage endorsement, or for any business interruption, and there shall be no subrogated claims by one party's insurance carrier against the other party arising out of any such loss.
- 14. Eminent Domain.** If a condemning authority takes title by eminent domain or by agreement in lieu thereof to the entire Building or a portion sufficient to render the Building unsuitable for Tenant's use, then either party may elect to terminate this lease effective on the date that possession is taken by the condemning authority; provided, however, that a condition to the exercise by Tenant of such right to terminate shall be that the portion of the Building taken shall be of such extent and nature as to substantially handicap, impede, or impair Tenant's use of the balance of the Building. Rent shall be reduced for the remainder of the term in an amount proportionate to the reduction in area of the Building caused by the taking. All condemnation proceeds shall belong to Landlord, and Tenant shall have no claims against Landlord or the condemnation award because of the taking.

15. **Assignment and Subletting of the Building.** This lease shall bind and inure to the benefit of the parties, their respective heirs, successors, and assigns, provided that Tenant shall not assign its interest under this lease or sublet all or any portion of the Building without first obtaining Landlord's consent in writing, which consent shall not be unreasonably withheld. This provision shall apply to all transfers by operation of law including but not limited to mergers and changes in control of Tenant. No assignment shall relieve Tenant of its obligation to pay rent or perform other obligations required by this lease and no consent to one assignment or subletting shall be a consent to any further assignment or subletting. Landlord shall not unreasonably withhold its consent to any assignment, or to subletting. Tenant shall pay any costs incurred by Landlord in connection with a request for assignment or subletting, including reasonable attorney fees.
16. **Parking.** Landlord reserves the right to reassign parking spaces provided to Tenant at anytime during the period of this lease with thirty (30) days written notice to Tenant and Tenant's consent, which shall not be unreasonably withheld.
17. **Default.** Any of the following shall constitute a default by Tenant under this lease:
- a. Tenant's failure to pay rent or any other charge under this lease within ten (10) days after its due, or failure to comply with any other term or condition within twenty (20) days following written notice from Landlord specifying the noncompliance. If such noncompliance cannot be cured within the 20-day period, this provision shall be satisfied if Tenant commences correction within such period and thereafter proceeds in good faith and with reasonable diligence to effect compliance as soon as possible. Time is of the essence of this lease.
 - b. Tenant's insolvency, business failure or assignment for the benefit of its creditors. Tenant's commencement of proceedings under any provision of any bankruptcy or insolvency law or failure to obtain dismissal of any petition filed against it under such laws within the time required to answer, or the appointment of a receiver for Tenant's property.
 - c. Assignment or subletting by Tenant in violation of Paragraph 16 above.
 - d. Vacation or abandonment of Building without the written consent of Landlord.
 - e. If this Lease is levied upon under any attachment or execution and such attachment or execution is not vacated within ten (10) days.
18. **Remedies for Default.** In case of default as described above Landlord shall have the right to the following remedies which are intended to be cumulative and in addition to any other remedies provided under applicable law.

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Date 01/03/2017

either party may specify by notice to the other. Notice to Tenant may always be delivered to the Building. Rent shall be payable to Landlord at the same address and in the same manner, but shall be considered paid only when received.

22. **Subordination.** This lease shall be subject and subordinate to any mortgages, deeds of trust, or land sale contracts (hereafter collectively referred to as encumbrances) now existing against the Building. At Landlord's option this lease shall be subject and subordinate to any future encumbrance hereafter placed against the Building (including the underlying land) or any modifications of existing encumbrances, and Tenant shall execute such documents as may reasonably be requested by Landlord or the beholder of the encumbrance to evidence this subordination.
23. **Transfer of Building.** If the Building is sold or otherwise transferred by Landlord or any successor, Tenant shall attorn to the purchaser or transferee and recognize it as the Landlord under this lease, and, provided the purchaser assumes all obligations hereunder, the transferor shall have no further liability hereunder.
24. **Estoppel.** Either party will within twenty (20) days after notice from the other execute, acknowledge and deliver to the other party a certificate whether or not this lease has been modified and is in full force and effect, whether there are any modifications or alleged breaches by the other party; the dates to which rent has been paid in advance, and the amount of any security deposit or prepaid rent; and any other facts that may be reasonably requested. Failure to deliver the certificate within the specified time shall be conclusive upon the party of whom the certificate was requested that the lease is in full force and effect and has not been modified except as may be represented by the party requesting the certificate. If requested by the holder of any encumbrance or any ground lessor, Tenant will agree to give such holder or lessor notice of and an opportunity to cure any default by Landlord under this lease. Unresolved good faith disputes between Landlord and Tenant shall be resolved pursuant to mandatory binding arbitration as provided herein.
25. **Attorney's Fees.** In any litigation or arbitration arising out of this lease, the prevailing party shall be entitled to recover attorney fees at trial, on any appeal, or in any other proceeding.
26. **Quiet Enjoyment.** Landlord warrants that so long as Tenant complies with all terms of this lease, it shall be entitled to peaceable and undisturbed possession of the Building free from any eviction or disturbance by Landlord. Landlord shall have no liability to Tenant for loss or damages arising out of the acts of other tenants of the Building or third parties, nor any liability for any reason which exceeds the value of its interest in the Building.
27. **Complete Agreement.** This lease and the attached Addenda and floor plan, if any, constitute the entire agreement of the parties and supersede all prior written and oral agreements and representations. Neither Landlord nor Tenant is relying on any

Initial 
Date 01/03/2017

representations other than those expressly set forth herein. Any modification to this Lease agreement must be in writing and signed by both parties.

28. Nonwaiver. Waiver by either party of strict performance of any provision of this lease shall not be a waiver of or prejudice of the party's right to require strict performance of the same provision in the future or of any other provision.

29. Real Property Taxes.

- a. **Payment of Taxes.** Tenant shall pay the real property tax, as defined in paragraph 29.c, applicable to Tenant's portion of the Port as represented by the Lease.
- b. **Additional Improvements.** Tenant shall be responsible for paying Tenant's share of any increase in real property tax specified in the Tax Assessor's records and work sheets as being caused by additional improvements placed upon the Port by other Tenants or by Landlord for the exclusive enjoyment of such other Tenants.
- c. **Definition of "Real Property Tax".** As used herein, the term "real property tax" shall include any form of real estate tax or assessment, general, special, ordinary or extraordinary, and any license fee, commercial rental tax, improvement bond or bonds, levy or tax (other than inheritance, personal income or estate taxes) imposed on the Port or any portion thereof by any authority having the direct or indirect power to tax, including any city, county, state or federal government, or any school, agricultural, sanitary, fire, street, drainage or other improvement district thereof.

30. Severability. The invalidity of any provision of this Lease as determined by a court of competent jurisdiction, shall in no way affect the validity of any other provisions herein.

31. Time of Essence. Time is of the essence with respect to the obligations to be performed under this Lease.

32. Security Measurers. Tenant hereby acknowledges that Landlord shall have no obligation whatsoever to provide guard service or other security measures for the benefit of the tenant, Building or the Port. Tenant assumes all responsibility for the protection of Tenant, its agents, and invitees and the property of Tenant from acts of third parties. Nothing herein contained shall prevent Landlord, at Landlord's sole option from providing security protection for the Port or any part thereof.

33. This lease is not subject to any implied warranties, but is leased "as is".

34. Arbitration

Initial [Signature]
Date 03 / 11 / 2017 rec

34.1 Any controversy or claim arising out of or relating to this lease, including, without limitation, the making, performance or interpretation of this lease, shall be settled by arbitration in Curry County, Oregon, and any Judgment on the arbitration award may be entered in any court having Jurisdiction over the subject matter of the controversy.


34.2 Any party asserting a claim arising out of or relating to this lease may make a written demand for arbitration. In this event, the parties shall agree to submit their controversy to binding arbitration before a single arbitrator. The arbitrator shall be an attorney licensed to practice law in the State of Oregon. If the parties cannot agree within 30 days to the selection of a single arbitrator after the election to arbitrate, either party may request that the selection of an arbitrator be made by a Judge of the Circuit Court of the State of Oregon for Coos County. The dispute shall be heard by the arbitrator selected within 90 days thereafter, unless the parties agree otherwise.

34.3 The parties will pay their own costs of arbitration, and each will be obligated for one-half of the arbitrator's fee. In the event of arbitration under the provisions of this Lease, the prevailing party shall be awarded reasonable attorney fees and related costs.

34.4 If arbitration is commenced, the parties agree to permit discovery proceedings of the type provided by the Oregon Rules of Civil Procedure both in advance of, and during recess of, the arbitration hearings. ORS 183.450(1) through (4), where applicable, shall control the admission of evidence at the hearing in any arbitration conducted hereunder, provided however no error by the arbitrator in application of the statute shall be grounds as such for vacating the arbitrator's award. Each party shall be entitled to present evidence and argument to the arbitrator. The arbitrator shall give written notice to the parties stating the arbitration determination and shall furnish to each party a signed copy of such determination and Judgment so the award may be entered in any court having Jurisdiction over the parties. The parties agree that all facts and other information relating to any arbitration arising under this contract shall be kept confidential to the fullest extent permitted by law.

34.5 The parties agree that the arbitrator shall have no Jurisdiction to render an award and/or Judgment for punitive damages. The parties agree that the decision of the arbitrator shall be final and binding on the parties and a Judgment may be entered on the arbitrator's award. Unless otherwise inconsistent herewith, the provisions of ORS Chapter 36 shall apply to any arbitration hereunder. The duty to arbitrate shall survive the cancellation or termination of this contract.

34.6 Service of process in connection therewith shall be made by certified mail. In any judicial proceeding to enforce this agreement to arbitrate, the only issues to be determined shall be the existence of the agreement to arbitrate and the failure of one Party to comply with that agreement, and those issues shall be determined summarily by the court without a jury. All other issues shall be decided by the arbitrator, whose decision thereon shall be final and binding. There may be no appeal of an order compelling arbitration except as part of an appeal concerning confirmation of the

Initial  1-4-17 rec'd
Date 03 / 03 / 2017

decision of the arbitrator.

34.7 Neither Party shall institute any legal proceeding against the other to enforce any right hereunder or for breach hereof, except that either Party may institute litigation (i) to enforce its rights of arbitration hereunder (ii) to confirm and have judgment entered upon any arbitration award issued hereunder, and (iii) to stay the running of any statute of limitation or prevent any other occurrence (including, without limitation, the passage of time) which would constitute laches, estoppel, waiver or any other such legal consequence that suit is necessary to avoid, provided, however, that neither Party shall pursue litigation under item (iii) beyond such action as is necessary to prevent prejudice to its cause of action pending ultimate resolution by arbitration under this Section 34.

34.8 If any dispute between the Parties arises from or in connection with any claim of litigation initiated by any third party (either as claimant, plaintiff, counterclaimant, or defendant/third Party plaintiff), then, unless the Parties agree otherwise, the resolution of that dispute under the arbitration provisions of this Section may at the option of either Party be deferred until the resolution of that third-party claim or litigation, provided, however that in the event of any such dispute in connection with a claim or litigation so initiated by a third party, either Party may at any time initiate arbitration under this Section 34 to determine prospective liability between the Parties upon facts which are stipulated, admitted solely for the purpose of arbitrating prospective liability, or not reasonably in dispute. The issue of whether any fact is "reasonably in dispute" under the preceding sentence shall be subject to mandatory arbitration hereunder upon the demand of either Party. In the event Landlord is made a party to such claim or litigation so initiated by a third party, Owner shall select its own counsel and have complete control over all claim or litigation decisions concerning its participation in that claim or litigation, regardless of whether Owner is required to, or in fact does, initiate a crossclaim, counterclaim, or third-party claim under Subclause (iii) of Subsection 34.7 above, and regardless of Tenant's indemnity obligations under Section 9 above.

Initial [Signature] / 1-4-17 CD
Date 01/03/2017

IN WITNESS WHEREOF, the duly authorized representatives of the parties have executed this lease as of the day and year first written above.


LANDLORD:

Port of Brookings Harbor

P. O. Box 848
Brookings, OR 97415

541-469-2218

By:



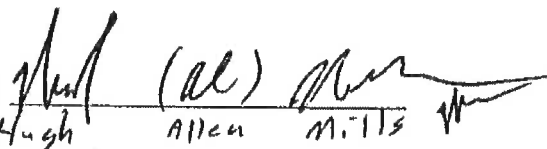
Roy C. Davis, Board
Chair

Date 1-4-17

TENANT:

Al Mills, dba Mountain View Custom
Cycles
17002 Eastwood Lane
Brookings, OR 97415

By:

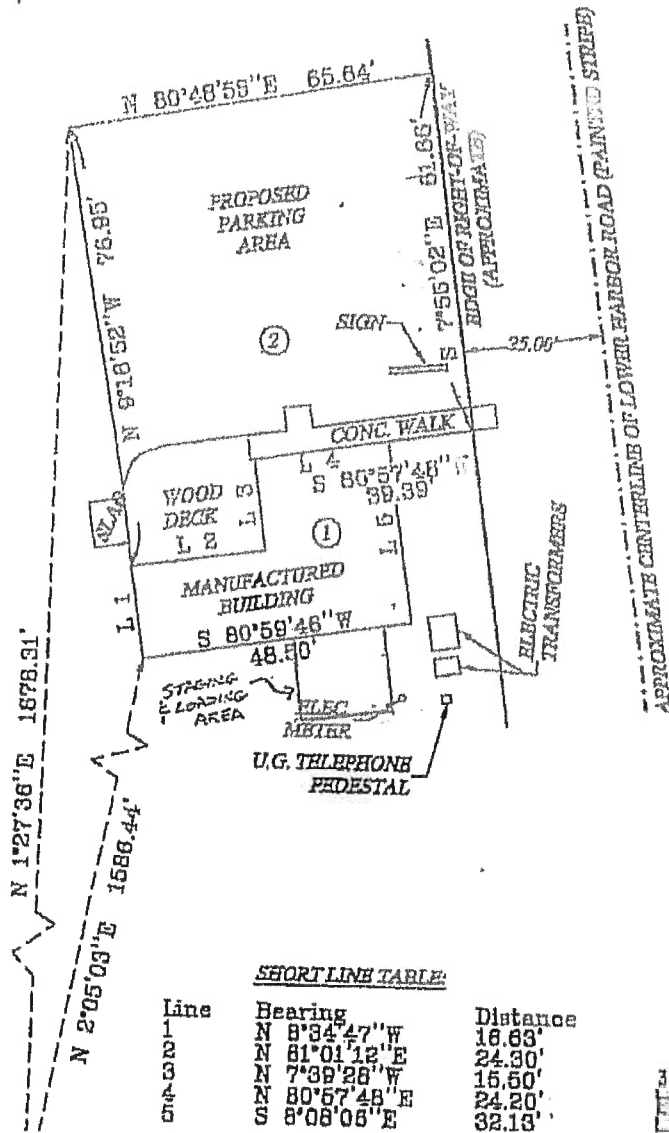


Hugh Allen Mills

Date 01/03/2017

541-661-3976

EXHIBIT "A"



Scale: 1" = 30'
Graphic Scale:



SHORT LINE TABLE

| Line | Bearing | Distance |
|------|---------------|----------|
| 1 | N 8°34'47" W | 16.63' |
| 2 | N 81°01'12" E | 24.30' |
| 3 | N 7°39'28" W | 15.50' |
| 4 | N 80°57'48" E | 24.20' |
| 5 | S 8°08'08" E | 32.13' |

Exhibit A
The Premises

Exhibit B

Rent Schedule

| | |
|---|---|
| <p align="center">1st Year: May 1st, 2017 – December 31st, 2017</p> | Indoor Space: 1,177 ft ² @ .50 per ft ² = \$588.50 Staging & Loading Area: 150 ft ² @ .30 per ft ² = \$45.00 <p align="right">Total = \$633.50</p> |
| <p align="center">2nd Year: January 1st, 2018 – December 31st, 2018</p> | Indoor Space: 1,177 ft ² @ Adjusted per C.O.L.A. Staging & Loading Area: 150 ft ² @ Adjusted per C.O.L.A. |
| <p align="center">3rd Year: January 1st, 2019 – December 31st, 2019</p> | Indoor Space: 1,177 ft ² @ Adjusted per C.O.L.A. Staging & Loading Area: 150 ft ² @ Adjusted per C.O.L.A. |
| <p align="center">4th Year January 1st, 2020 – December 31st, 2020</p> | Indoor Space: 1,177 ft ² @ Adjusted per C.O.L.A. Staging & Loading Area: 150 ft ² @ Adjusted per C.O.L.A. |
| <p align="center">5th Year January 1st, 2021 – December 31st, 2021</p> | Indoor Space: 1,177 ft ² @ Adjusted per C.O.L.A. Staging & Loading Area: 150 ft ² @ Adjusted per C.O.L.A. |

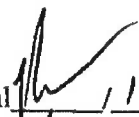

Initial  / 1-4-17 *rec*
 Date 01/03/2017

Exhibit C

Tenant Repairs

Tenant Repairs and Improvements

- Value to be credited to tenant up to \$1,765.50 (3 months' rent Feb. / March / April)
- Replace T-111 siding on exterior west wall
- Replace window trim on exterior of windows where needed
- Install new entry on west side of building to accommodate bringing motorcycles into building

Initial  / 1-4-17
Date / 03 / 2017







31







Rebel Ink
L.L.C.
Tattoo Studio
541-813-1549

DRAG

DRAG



INFORMATION ITEM – A

DATE: January 18, 2023
RE: 2023 Events
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Travis Webster, Port Manager

OVERVIEW

- Started receiving event permit and use agreements for 2023.

DOCUMENTS

- Received event applications, 8 pages



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Sharon Hartung,
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Kenneth Range
Larry Jonas

Port of Brookings Harbor Event Permit and Use Agreement

This Event Permit and Use Agreement ("Agreement") is made this 3rd day of NOVEMBER, 2022, by and between the Port of Brookings Harbor, an Oregon special district ("POBH") and:

Organization: CURRY COUNTY CRUISERS

Address: _____

Responsible Person: MIKE LUTHER - PRESIDENT

Phone: 805.286.7863 Email: CURRYCRUISERS@GMAIL.COM

hereinafter referred to as "Permittee," for a non-assignable permit to use and occupy that portion of the Port of Brookings Harbor property described herein below:

Activity: CAR SHOW Location: PARKING LOT

Usage: SAT SUN Usage
Date(s): 5-27-2023 to 5-28-2023 Times: 5:00 am/pm to 6:00 am/pm

Insurance Company: LIBERTY MUTUAL Policy No.: _____

I. PERMIT TO USE

A. **Event Permit.** On the terms and conditions set forth below, the POBH Board of Commissioners grants to Permittee, its employees, agents, contractors, and invitees a permit to use and occupy the following facilities ("Event Permit") at POBH described as (check box for one or more facilities):

Port of Brookings Harbor Permit Fees

| √ | Area | Rate Per Day | # of Days | Total |
|---|------------------|-----------------------|-----------|-------|
| | Boardwalk | \$650.00/Day | | \$ |
| | Saturday Market | \$11.00/Vendor | | \$ |
| | Car Shows | \$6.00/Vehicle | <u>1</u> | \$ |
| | Other: | | | \$ |
| | TOTAL PERMIT FEE | | | \$ |

APPROXIMATELY 100 CARS @ \$6.00 / CAR
11/3/2022 CK 1240 \$300.00 DEPOSIT



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Larry Jonas

Port of Brookings Harbor Event Permit and Use Agreement

This Event Permit and Use Agreement ("Agreement") is made this 22nd day of November, 2022, by and between the Port of Brookings Harbor, an Oregon special district ("POBH") and:

Organization: Brookings Bodacious Bazaar

Address: _____

Responsible Person: Bruce Ellis

Phone: 541-251-4422 Email: Captainerry541@gmail.com

hereinafter referred to as "Permittee," for a non-assignable permit to use and occupy that portion of the Port of Brookings Harbor property described herein below:

Activity: Farmers Market Location: Port of Brookings Harbor
Usage June 10 & 24 July 8 Usage _____
Date(s): Aug. 26 & Sept. 9 2023 to _____ Times: 10 am to 5 pm Boardwalk

Insurance Company: State Farm Policy No.: _____

I. PERMIT TO USE

A. **Event Permit.** On the terms and conditions set forth below, the POBH Board of Commissioners grants to Permittee, its employees, agents, contractors, and invites a permit to use and occupy the following facilities ("Event Permit") at POBH described as (check box for one or more facilities):

Port of Brookings Harbor Permit Fees

| ✓ | Area | Rate Per Day | # of Days | Total |
|---|------------------|----------------|---------------|-------|
| | Boardwalk | \$650.00/Day | | \$ |
| ✓ | Saturday Market | \$11.00/Vendor | <u>5 days</u> | \$ |
| | Car Shows | \$6.00/Vehicle | | \$ |
| | Other: | | | \$ |
| | TOTAL PERMIT FEE | | | \$ |



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Larry Jonas

Port of Brookings Harbor Event Permit and Use Agreement

This Event Permit and Use Agreement ("Agreement") is made this 22 day of November, 20 22, by and between the Port of Brookings Harbor, an Oregon special district ("POBH") and:

Organization: Slam N Salmon

Address: _____

Responsible Person: Crissy Cooper

Phone: 541-257-2649 Email: ccooperllp@gmail.com
ccooperllp@gmail.com

hereinafter referred to as "Permittee," for a non-assignable permit to use and occupy that portion of the Port of Brookings Harbor property described herein below:

Activity: Fishing Derby Location: Port of Brookings Harbor

Usage: _____ Usage: Fri sat Sun Boardwalk
Date(s): Sept 1 to Sept 3 Times: Noon 10 10 am/pm to 7 7 5 am/pm

Insurance Company: July 1, 2, 3, State Farm Policy No.: _____

I. PERMIT TO USE

A. **Event Permit.** On the terms and conditions set forth below, the POBH Board of Commissioners grants to Permittee, its employees, agents, contractors, and invitees a permit to use and occupy the following facilities ("Event Permit") at POBH described as (check box for one or more facilities):

Port of Brookings Harbor Permit Fees

| <input checked="" type="checkbox"/> | Area | Rate Per Day | # of Days | Total |
|-------------------------------------|------------------|----------------|-----------|----------------|
| <input checked="" type="checkbox"/> | Boardwalk | \$650.00/Day | <u>3</u> | <u>\$ 1950</u> |
| <input type="checkbox"/> | Saturday Market | \$11.00/Vendor | | \$ |
| <input type="checkbox"/> | Car Shows | \$6.00/Vehicle | | \$ |
| <input type="checkbox"/> | Other: | | | \$ |
| | TOTAL PERMIT FEE | | | \$ |

73



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Port of Brookings Harbor Event Permit and Use Agreement

This Event Permit and Use Agreement ("Agreement") is made this 22 day of November, 2022, by and between the Port of Brookings Harbor, an Oregon special district ("POBH") and:

Organization: Sky High Fourth of July

Address: _____

Responsible Person: Bruce Ellis

Phone: 541-251-4422 Email: captaincurry541@gmail.com

hereinafter referred to as "Permittee," for a non-assignable permit to use and occupy that portion of the Port of Brookings Harbor property described herein below:

Activity: 4th of July event Location: Port of Brookings Harbor Boardwalk
Usage _____ Usage _____
Date(s): July 4 to July 4 Times: 10 am pm to 8 am pm

Insurance Company: State Farm Policy No.: _____

I. PERMIT TO USE

A. **Event Permit.** On the terms and conditions set forth below, the POBH Board of Commissioners grants to Permittee, its employees, agents, contractors, and invitees a permit to use and occupy the following facilities ("Event Permit") at POBH described as (check box for one or more facilities):

Port of Brookings Harbor Permit Fees

| <input checked="" type="checkbox"/> | Area | Rate Per Day | # of Days | Total |
|-------------------------------------|------------------|----------------|-----------|--------|
| <input checked="" type="checkbox"/> | Boardwalk | \$650.00/Day | 1 | \$ 650 |
| <input type="checkbox"/> | Saturday Market | \$11.00/Vendor | | \$ |
| <input type="checkbox"/> | Car Shows | \$6.00/Vehicle | | \$ |
| <input type="checkbox"/> | Other: | | | \$ |
| | TOTAL PERMIT FEE | | | \$ |

74



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Port of Brookings Harbor Event Permit and Use Agreement

This Event Permit and Use Agreement ("Agreement") is made this 22 day of November, 2022, by and between the Port of Brookings Harbor, an Oregon special district ("POBH") and:

Organization: Bigfoot Blues Fest

Address: _____

Responsible Person: Bruce Ellis

Phone: 541-251-4422 Email: captainewmy541@gmail.com

hereinafter referred to as "Permittee," for a non-assignable permit to use and occupy that portion of the Port of Brookings Harbor property described herein below:

Activity: Blues, Brews & BBQs Location: Port of Brookings Harbor
Usage _____ Usage _____
Date(s): July 22 to July 23 Times: 10 am to 8:45 am
22nd 23rd Boardwalk

Insurance Company: State Farm Policy No.: _____

I. PERMIT TO USE

A. **Event Permit.** On the terms and conditions set forth below, the POBH Board of Commissioners grants to Permittee, its employees, agents, contractors, and invitees a permit to use and occupy the following facilities ("Event Permit") at POBH described as (check box for one or more facilities):

Port of Brookings Harbor Permit Fees

| <input checked="" type="checkbox"/> | Area | Rate Per Day | # of Days | Total |
|-------------------------------------|------------------|----------------|-----------|---------------|
| <input checked="" type="checkbox"/> | Boardwalk | \$650.00/Day | <u>2</u> | <u>\$1300</u> |
| <input type="checkbox"/> | Saturday Market | \$11.00/Vendor | | \$ |
| <input type="checkbox"/> | Car Shows | \$6.00/Vehicle | | \$ |
| <input type="checkbox"/> | Other: | | | \$ |
| | TOTAL PERMIT FEE | | | \$ |



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Larry Jonas

Port of Brookings Harbor Event Permit and Use Agreement

RECEIVED

AUG 17 2022

This Event Permit and Use Agreement ("Agreement") is made this 17 day of AUGUST, 2022, by and between the Port of Brookings Harbor, an Oregon special district ("POBH") and:

Organization: ART ON THE COAST

Address: _____

Responsible Person: LAURA BROWN

Phone: 720.320.0376 Email: ESTESLAURA@gmail.com

hereinafter referred to as "Permittee," for a non-assignable permit to use and occupy that portion of the Port of Brookings Harbor property described herein below:

Activity: ART FESTIVAL Location: PORT OF BROOKINGS HARBOR

Usage _____ Usage _____
Date(s): 8.5.23 to 8.6.23 Times: 10 am to 5 pm

Insurance Company: GERALD ROSS Policy No.: _____

8/14/23 @ 3PM

I. PERMIT TO USE

A. **Event Permit.** On the terms and conditions set forth below, the POBH Board of Commissioners grants to Permittee, its employees, agents, contractors, and invitees a permit to use and occupy the following facilities ("Event Permit") at POBH described as (check box for one or more facilities):

Port of Brookings Harbor Permit Fees

| ✓ | Area | Rate Per Day | # of Days | Total |
|---|------------------|----------------|-----------|-----------|
| ✓ | Boardwalk | \$650.00/Day | 2 | \$ 1300 - |
| | Saturday Market | \$11.00/Vendor | | \$ |
| | Car Shows | \$6.00/Vehicle | | \$ |
| | Other: | | | \$ |
| | TOTAL PERMIT FEE | | | \$ 1300 - |

ALL PROCEEDS GO TO CASA FOR KIDS. PLEASE CONSIDER A REDUCED RATE FOR A NON-PROFIT - THANKS!





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Port of Brookings Harbor Event Permit and Use Agreement

This Event Permit and Use Agreement ("Agreement") is made this 22 day of November, 2022, by and between the Port of Brookings Harbor, an Oregon special district ("POBH") and:

Organization: 12th Annual Pirates of the Pacific Festival

Address: _____

Responsible Person: Bruce Ellis

Phone: 541-251-4422 Email: captaincurry541@gmail.com

hereinafter referred to as "Permittee," for a non-assignable permit to use and occupy that portion of the Port of Brookings Harbor property described herein below:

Activity: Pirate Festival Location: Port of Brookings Harbor
Usage: Aug 10 after 3pm Usage: Fri Sat Sun
Date(s): Aug 11 to Aug 13 Times: Noon 10 10 am pm to 8 8 5 am pm

Insurance Company: State Farm Policy No.: _____

I. PERMIT TO USE

A. **Event Permit.** On the terms and conditions set forth below, the POBH Board of Commissioners grants to Permittee, its employees, agents, contractors, and invitees a permit to use and occupy the following facilities ("Event Permit") at POBH described as (check box for one or more facilities):

Port of Brookings Harbor Permit Fees

| <input checked="" type="checkbox"/> | Area | Rate Per Day | # of Days | Total |
|-------------------------------------|------------------|----------------|-----------|--------|
| <input checked="" type="checkbox"/> | Boardwalk | \$650.00/Day | 3 1/2 | \$1950 |
| <input type="checkbox"/> | Saturday Market | \$11.00/Vendor | | \$ |
| <input type="checkbox"/> | Car Shows | \$6.00/Vehicle | | \$ |
| <input type="checkbox"/> | Other: | | | \$ |
| | TOTAL PERMIT FEE | | | \$ |



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Port of Brookings Harbor Event Permit and Use Agreement

This Event Permit and Use Agreement ("Agreement") is made this 22 day of November, 2022, by and between the Port of Brookings Harbor, an Oregon special district ("POBH") and:

Organization: Docktoberfest

Address: _____

Responsible Person: Bruce Ellis

Phone: 541-251-4422 Email: Captaincmy541@gmail.com

hereinafter referred to as "Permittee," for a non-assignable permit to use and occupy that portion of the Port of Brookings Harbor property described herein below:

Activity: Oktoberfest Event Location: Port of Brookings Harbor Boardwalk

Usage Date(s): Sept. 23 to Sept. 24 Usage Times: 10 am/pm to Sat 8 Sun 5 am/pm

Insurance Company: State Farm Policy No.: _____

I. PERMIT TO USE

A. **Event Permit.** On the terms and conditions set forth below, the POBH Board of Commissioners grants to Permittee, its employees, agents, contractors, and invitees a permit to use and occupy the following facilities ("Event Permit") at POBH described as (check box for one or more facilities):

Port of Brookings Harbor Permit Fees

| <input checked="" type="checkbox"/> | Area | Rate Per Day | # of Days | Total |
|-------------------------------------|------------------|----------------|-----------|----------------|
| <input checked="" type="checkbox"/> | Boardwalk | \$650.00/Day | <u>2</u> | \$ <u>1300</u> |
| <input type="checkbox"/> | Saturday Market | \$11.00/Vendor | | \$ |
| <input type="checkbox"/> | Car Shows | \$6.00/Vehicle | | \$ |
| <input type="checkbox"/> | Other: | | | \$ |
| | TOTAL PERMIT FEE | | | \$ |

INFORMATION ITEM – B

DATE: January 18, 2023
RE: RV Park Update
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Travis Webster, Port Manager

OVERVIEW

- Current construction schedule.
- Crow & Clay plans to do another site visit in mid-January.
- Sites 1-22 are to be completed first.

DOCUMENTS

- Construction Schedule, 1 page

INFORMATION ITEM – C

DATE: January 18, 2023
RE: 2022 Commissioner Meeting Summary
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Travis Webster, Port Manager

OVERVIEW

- Total Meetings: 29
 - Action Items: 112
 - Failed: 2
 - Tabled: 6
 - No Action: 1
 - Information Items: 106

DOCUMENTS

- 2022 Commissioner Meeting Summary, 7 pages

2022 Commissioner Meeting Review

| # | Meeting Date | Action Item | Information Item | Commission Vote Approve / Fail / Hold | Notes |
|----|-----------------------------|--|---|--|---------------------------------|
| 1 | Tuesday, January 11, 2022 | | Non-Moorage Charter Fees | | |
| 2 | | | Port Best Management Practices Amendment | | |
| 3 | | | Oregon State Marine Board Maintenance Assistance Grant (MAG) Grant Application | | |
| 4 | | | ODEQ Tier 2 Corrective Actions and Notification to Gear Storage Users | | |
| 5 | | | Pelican Bay Arts Association Request for 5-year Agreement | | |
| 6 | | | POBH Employee Handbook 2022 | | |
| 7 | | | Business Oregon FEMA Matching for DR-4432 and DR-4452 | | |
| 8 | | | Sale of Business – Bounder Fresh Crab Consent to Assignment and Assumption of Lease | | |
| 9 | | | North Jetty Access | | |
| 10 | | | Stormwater Test Results for December 13, 2021 | | |
| 11 | | | Boardwalk Condition and Modifications | | |
| 12 | | | Fuel Dock – Fuel Tank Control Box Repair and Protective Structure | | |
| 13 | | | South Coast Credit Accounts | | |
| 14 | | | Vessel Miss Stacey | | |
| 15 | | | Financial Consultant Contract | | |
| 16 | | | Curry County Sheriff Substation Office MOU | | |
| 17 | | | Zola's on the Water Late-Night Activities | | |
| 18 | | | SDAO Annual Conference 2022 | | |
| 19 | | | Blue Fin Realty Lease Renewal Amendment No. 1 | | |
| 20 | | | Hallmark Receiving Dock Condition | | |
| 21 | | | 4th of the July Fireworks | | |
| 22 | | | Basin 1 Storm Damage to Vessels | | |
| 23 | | | Mountain View Custom Cycles LLC and Rebel Ink Tattoo Studio LLC and Barber Shop Lease | | |
| 24 | | | Tidewinds Sportfishing Request for Signage Space | | |
| 25 | | 2022 SDIS Property / Casualty Insurance Renewal and Longevity Credit and Rate Lock Guarantee | | | |
| 26 | Wednesday, January 19, 2022 | Best Management Practices Amendment | | Approved | |
| 27 | | Oregon State Marine Board Maintenance Assistance Grant (MAG) Grant Ap | | Approved | |
| 28 | | Notification to Gear Storage Users | | Approved | |
| 29 | | Pelican Bay Arts Association Request for 5-year Agreement | | Approved | |
| 30 | | POBH Employee Handbook 2022 | | Hold | Under Port Legal Counsel Review |
| 31 | | Sale of Business Bounder Crab Shack Consent to Assign. and Assum. of Lease | | Approved | |

2022 Commissioner Meeting Review

| # | Meeting Date | Action Item | Information Item | Commission Vote Approve / Fail / Hold | Notes |
|----|------------------------------|---|---|--|--|
| 32 | | North Jetty Access and Crab Dock Removal | | Approved | Close Jetty Access and remove dock when project warrants |
| 33 | | Boardwalk Condition and Modification | | Approved | Separate damage section and extend handrailing |
| 34 | | CBN Enterprises | | Approved | Allow Southern Oregon Credit Services / Collect Northwest to proceed with litigation |
| 35 | | Financial Consultant Contract | | Approved | |
| 36 | | Blue Fin Realty Lease Renewal Amendment No. 1 | | Approved | |
| 37 | | Vessel Miss Stacey Update | | Approved | Placing Lien on vessel, crab pots, gear and crab pot permit |
| 38 | | | Budget Calendar for Fiscal Year 2022-23 | | |
| 39 | | | Tsunami January 15, 2022, Update | | |
| 40 | Friday, January 28, 2022 | DEQ Tier 2 Corrective Action Report | | Approved | |
| 41 | | | Moorage License Agreement – Recommended Revisions | | |
| 42 | Wednesday, February 16, 2022 | Non-Moorage Charter Fees | | Approved | |
| 43 | | Budget Officer Appointment | | Approved | Approved Kim Boom |
| 44 | | | Next Workshop Meeting Date | | |
| 45 | Thursday, February 24, 2022 | | Vessel Miss Stacey | | |
| 46 | | | Derelict Vessels | | |
| 47 | | | Moorage License Agreement Revisions | | |
| 48 | | | Port Rates July 1, 2022, to June 30, 2023 | | |
| 49 | | | Boat Yard Warehouse Condition | | |
| 50 | | | Budget Committee Applications – Selection Process | | |
| 51 | | | Fuel Tank Control Box Protective Structure | | |
| 52 | | | 2022 Events at the Port | | |
| 53 | | | RV Park Project Delay | | |
| 54 | | | Delinquent Account Write Off Request | | |
| 55 | | | Congressman DeFazio Earmark for WWTP Update | | |
| 56 | Wednesday, March 16, 2022 | Moorage License Agreement Revisions | | Hold | Reviewing live-aboard and marine survey |
| 57 | | Budget Committee Selection | | Approved | Filled 3 vacancies |
| 58 | | Delinquent Account Write Off Request | | Approved | |
| 59 | | Boat & Trailer Storage Area(s) | | Approved | |
| 60 | | Port Rates July 31, 2022 to June 30, 2023 | | Approved | |
| 61 | | Commercial Fillet Station | | Approved | |
| 62 | | Port Manager Employment Agreement Amendment No. 2 | | Approved | |
| 63 | | | FEMA Project Update | | |
| 64 | | | 2022 Salmon Season Update | | |
| 65 | | | Vessel Miss Stacey Update | | |
| 66 | | | Stormwater Test Results | | |
| 67 | | | Wastewater Treatment Plant | | |



2022 Commissioner Meeting Review

| # | Meeting Date | Action Item | Information Item | Commission Vote Approve / Fail / Hold | Notes |
|-----|---------------------------|---|---|--|------------------------------------|
| 68 | Thursday, March 24, 2022 | Special District Insurance Services Employee Health Care Plan Renewal | | Approved | |
| 69 | | Budget Committee Members | | Approved | Filled 1 vacancy |
| 70 | | FEMA Project Preliminary Drawings & Update | | Approved | |
| 71 | Monday, April 4, 2022 | Wastewater Treatment Plant Information | | Motions failed | |
| 72 | | | Stout Mountain Railway Proposal | | |
| 73 | | | Tidewinds Sportfishing Signage Request | | |
| 74 | | | POBH Employee Handbook 2022 | | |
| 75 | | | Boat Yard Warehouse Condition | | |
| 76 | | | Hallmark Dock Condition | | |
| 77 | | | Supplemental Budget | | |
| 78 | | | SCKS Consent to Assignment | | |
| 79 | | | Business Oregon FEMA Matching Project L22009 Contract | | |
| 80 | | | Business Oregon FEMA Matching Project L22008 Contract | | |
| 81 | | | Live-Aboard Policy Update | | |
| 82 | | | Moorage License Agreement Revisions | | |
| 83 | | | Non-Moorage Charter Boat Launch Fee | | |
| 84 | | | Curry County Tourism and Promotions Committee | | |
| 85 | | | MOU - Port and Curry County Sheriff Department | | |
| 86 | Wednesday, April 20, 2022 | Stout Mountain Railway Proposal | | Fail | Possible at other Port areas |
| 87 | | Tidewind Sportfishing Signage Request | | Approved | Angle existing sign and add sign |
| 88 | | POBH Employee Handbook 2022 | | Approved | |
| 89 | | First Supplemental Budget FY 2021-22 | | Approved | |
| 90 | | SCKS Consent to Assignment | | Approved | |
| 91 | | Business Oregon FEMA Matching Project L22009 Contract | | Approved | |
| 92 | | Business Oregon FEMA Matching Project L22008 Contract | | Approved | |
| 93 | | Moorage License Agreement Revisions | | Approved | |
| 94 | | Non-Moorage Charter and Guide Boat Launch Fee | | Approved | Launch fee not included |
| 95 | | MOU Curry County Sheriff Substation | | Approved | |
| 96 | | Live-Aboard Policy Revisions | | Approved | |
| 97 | | C.J. Huntsman Engagement Letter | | Approved | |
| 98 | | Wastewater Treatment Plant Timeline | | Approved | EMC Engineering to start on design |
| 99 | | RV Park Septic Tank on Drawing Clarification | | Approved | Connect sewer to Harbor Sanitary |
| 100 | | Commissioner and Staff Relations | | Approved | |
| 101 | | | Charter and Guide Boat Sign Concept | | |
| 102 | | | RV Park Change Order | | |
| 103 | | | USACE Maintenance Dredging | | |
| 104 | | | Fish Cleaning Building Repairs | | |
| 105 | Friday, May 6, 2022 | RV Park Change Order and Payment Request | | Approved | C.O., time extension, payment |
| 106 | | Crab Dock | | Approved | Keep crab dock |

84

2022 Commissioner Meeting Review

| # | Meeting Date | Action Item | Information Item | Commission Vote Approve / Fail / Hold | Notes |
|-----|--------------------------|---|---|--|---|
| 107 | | SDAO Insurance Claim - Replacement of Broken Dock Pile | | Approved | Repair pile and prepare contract |
| 108 | | | Commissioner and Staff Communications and Relations | | |
| 109 | Tuesday, May 10, 2022 | Budget Committee Meeting - FY 2022-2023 Budget Presentation | | Approved | |
| 110 | Wednesday, May 18, 2022 | Billeter Marine Public Improvement Contract | | | |
| 111 | | Boat Yard Warehouse Engineering Report | | | |
| 112 | | Richard Cortez Delinquent Account Write Off Request | | | |
| 113 | | Charles Case Delinquent Account Write Off Request | | | |
| 114 | | Charter and Guide Boat Sign | | | |
| 115 | | | April Stormwater Test Results and Tier 1 Report | | |
| 116 | Wednesday, June 15, 2022 | Budget Hearing | | Approved | |
| 117 | Wednesday, June 15, 2022 | Vessel and/or Trailer Storage Agreement | | Approved | |
| 118 | | Vessel Miss Stacey Moorage Renewal | | Approved | |
| 119 | | Charters and Guides Sign Agreement Form | | Approved | |
| 120 | | | BOEM Wind Energy Farm Off the Coast of Brookings Oregon | | |
| 121 | | | Pacific Seafood Request for Dock Hoist | | |
| 122 | | | Zola's on the Water Concrete Patio outside Leased Premises | | |
| 123 | | | Cable TV and Wi-Fi at Beachfront RV Park | | |
| 124 | | | USDA Civil Rights Compliance Review & Response | | |
| 125 | | | Boat Yard Building(s) and Port Office Proposal | | |
| 126 | | | RV Park New Fence Dividers | | |
| 127 | | | Summer Food Dine-In Bus Route | | |
| 128 | | | Travel Lift Ramp Sediment Impacts | | |
| 129 | | | Beach Cam for Website | | |
| 130 | Tuesday, June 21, 2022 | Approval of Resolution No. 2022-07 Regarding Offshore Wind | | Approved | |
| 131 | Wednesday, July 20, 2022 | Boat Yard Building Plan | | Approved | To acquire second structural analysis of existing building and to bring it up to code |
| 132 | | Zola's on the Water Lease Amendment No. 2 | | Approved | |
| 133 | | | Curry County Storm Drain Master Plan Draft April 2022 Review – Curry County Commissioners and Port Commissioners Meeting Date | | |
| 134 | | | Dog Leash Law Enforcement | | |
| 135 | | | Small Debris Left Behind on the Jetty from Fireworks Show | | |
| 136 | | | Boat Ramp and Boat Parking Area | | |
| 137 | Tuesday, August 9, 2022 | Interim General Manager | | Approved | |
| 138 | | | Procedure for Hiring | | |



2022 Commissioner Meeting Review

| # | Meeting Date | Action Item | Information Item | Commission Vote Approve / Fail / Hold | Notes |
|-----|-------------------------------|--|--|--|------------------------------------|
| 139 | Thursday, August 11, 2022 | | Curry County Storm Drain Master Plan Draft April 2022 Review – Curry County Commissioners and Port Commissioners Meeting | | |
| 140 | Wednesday, August 17, 2022 | US Coast Guard Dock Lease Renewal Agreement Approval | | Approved | |
| 141 | | Southern Oregon Credit Service Request for Small Claims Approval | | Approved | |
| 142 | | Boat Yard Warehouse Structural Analysis and Report Approval for Expense | | Approved | |
| 143 | | New RV Park Fence Dividers | | Approved | |
| 144 | | Permission to Display Bible Education Cart | | Tabled | Board wants direction from counsel |
| 145 | | Sale of Port Property | | Approved | |
| 146 | | FEMA Construction Drawings | | Approved | |
| 147 | | Preliminary Wastewater Treatment Plant Design | | Approved | |
| 148 | | RV Park Improvement Project Payment Request #2 | | Approved | |
| 149 | | | Boat Yard - Dustless Blasting | | |
| 150 | | | Boat Shop & More Lease | | |
| 151 | | | USFWS Completes Sea Otter Study, Outlines Next Steps | | |
| 152 | | | Boat Yard Clam Shell Dredging | | |
| 153 | Friday, August 19, 2022 | Special Districts Association of Oregon, Consulting Service Agreement | | Approved | |
| 154 | | Port Manager Job Description, Benefits Package, Recruitment and Selection Process Timeline | | Approved | |
| 155 | | Positional Compensation for Acting Port Manager | | Approved | |
| 156 | Tuesday, August 30, 2022 | | Boat Yard Building(s) | | |
| 157 | Tuesday, September 6, 2022 | Presentation by Jack Akin, EMC Engineering, Wastewater Treatment Plant Design & Location | | Approved | |
| 158 | Wednesday, September 21, 2022 | Boat Shop & More Lease Amendment #1 | | Approved | |
| 159 | | Resolution 2022-08, Adopting Best Management Practices | | Approved | |
| 160 | | Boat Yard Rates | | Approved | |
| 161 | | Boat Yard Clam Shelling | | Tabled | |
| 162 | | EMC Engineer/Scientists, LLC Agreement Amendment #1 | | Approved | |
| 163 | | Charter and Guide Boat Sign Installation | | Approved | |
| 164 | | Delinquent Account Write Off Request Dylan Koster | | Approved | |
| 165 | | Southern Oregon Credit Service Request for Small Claims Approval | | Approved | |
| 166 | | Sale of Port Property | | Approved | |
| 167 | | Closure of all Rogue Credit Union Accounts | | Approved | |
| 168 | | Umpqua Bank Account Access Authorization | | Approved | |
| 169 | | LGIP Authorized Bank Agents and Signers | | Approved | |
| 170 | | Agreement for disbursement of SLFRF Funds (Curry County) | | Approved | |



2022 Commissioner Meeting Review

| # | Meeting Date | Action Item | Information Item | Commission Vote Approve / Fail / Hold | Notes |
|-----|------------------------------|--|---|--|-------|
| 171 | | Mobile Concession Rate | | Tabled | |
| 172 | | Proposal for Coffee Stand in RV Park | | Approved | |
| 173 | | Miss Stacey Update | | Approved | |
| 174 | | Portside RV Park Lease | | Approved | |
| 175 | | Permission to Display Bible Education Cart | | Tabled | |
| 176 | | Port Manager Search Update | | Approved | |
| 177 | | | SDAO Safety & Security Grant | | |
| 178 | Tuesday, October 4, 2022 | EXECUTIVE SESSION | | | |
| 179 | | Permission to Display Bible Education Cart | | Approved | |
| 180 | | | Forming Committee | | |
| 181 | | | Boat Yard Clam Shell Dredging | | |
| 182 | | | Port Manager Update | | |
| 183 | Wednesday, October 19, 2022 | Draft Bell & Whistle Mobile Coffee Lease Agreement | | Approved | |
| 184 | | Sale of Port Property | | Approved | |
| 185 | | El Cazadores Proposal | | Approved | |
| 186 | | Key Card System | | Approved | |
| 187 | | RV Park Main Waterline Change Order #3 & #4 | | Approved | |
| 188 | | | Events | | |
| 189 | | | Port Manger Update and Special Meeting Schedule | | |
| 190 | | | OPPA Conference | | |
| 191 | | | Boat Yard Clam Shelling | | |
| 192 | Friday, November 4, 2022 | EXECUTIVE SESSION | | | |
| 193 | Wednesday, November 16, 2022 | EXECUTIVE SESSION | | | |
| 194 | | Port Manager Recruitment | | Approved | |
| 195 | | Acting Port Manager Agreement | | Approved | |
| 196 | | RV Park Improvement Project Payment Request #3 | | Approved | |
| 197 | | Survey for Semi-Annual Moorage | | No Action | |
| 198 | | | El Cazadores Update | | |
| 199 | | | Port Sale Update | | |
| 200 | | | Awareness Campaign for any Port Projects | | |
| 201 | | | Culvert Update | | |
| 202 | | | Stormwater Pollution Control Plan Update | | |
| 203 | Wednesday, November 30, 2022 | Beacon Broadband/Cood Curry Electric | | Approved | |
| 204 | | Annual Financial Report FY 2021-22 | | Approved | |
| 205 | | | Capital Improvement Plan Update | | |
| 206 | | | Port Property Sale | | |
| 207 | | | Pile Replacement Billeter Marine | | |
| 208 | Wednesday, December 21, 2022 | Port Manager Agreement | | Approved | |
| 209 | | Port Manager Work Program | | Approved | |
| 210 | | El Cazadores Parking Area | | Approved | |
| 211 | | Boat Yard Shop Plan | | Approved | |
| 212 | | Resolution 2022-10, Retaining Property Sale Funds in Reserve Fund for WWTP | | Approved | |
| 213 | | Resolution 2022-11, Employee Handbook | | Approved | |



2022 Commissioner Meeting Review

| # | Meeting Date | Action Item | Information Item | Commission Vote Approve / Fail / Hold | Notes |
|-----|--------------|--|---------------------------------------|--|-------|
| 214 | | Capital Improvement Plan Approval | | Approved | |
| 215 | | McLennan Excavation Payment Request #4 | | Approved | |
| 216 | | Gerald Burns Financial Consultant Agreement Amendment | | Approved | |
| 217 | | Coos-Curry Electric Service Upgrade | | Approved | |
| 218 | | | Project Timelines (EMC Engineers) | | |
| 219 | | | RV Park Project Update | | |
| 220 | | | Letters from C.J. Huntsman, CPA, P.C. | | |
| 221 | | | Miss Stacey Update | | |



INFORMATION ITEM – D

DATE: January 18, 2023
RE: Storm Damage
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Travis Webster, Port Manager

OVERVIEW

- Significant Storms throughout December 2022.
- Pictures and time sheets with costs are being collected.

DOCUMENTS

- County Resolution R2023-01: Declaring a Local Emergency in Curry County, 2 pages
- Pictures of damage, debris, and boardwalk movement, 14 pages

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
IN AND FOR THE COUNTY OF CURRY, OREGON**

**In the Matter of Declaring a Local)
Emergency in Curry County and) RESOLUTION NO. R2023-01
Requesting a Governor's Declaration of)
a State of Emergency)**

WHEREAS, ORS 401.309 provides authority for the Curry County Board of Commissioners to declare by Ordinance or Resolution that a state of emergency exists within the County; and

WHEREAS, ORS 401.165 provides that upon declaration of a local emergency and the request of the County, the Governor may declare a state of emergency by proclamation; and

WHEREAS, on December 9, 10, 25 and 26, a series of storm events struck Curry County causing widespread power outages, significant flooding, earth movement, wind damage, water infrastructure damages, storm surge damages, and other disasters; and

WHEREAS, these events damaged roads throughout the County; in particular causing a bank of the Rogue River to collapse, undermining a portion of North Bank Rogue River Road; and

WHEREAS, these events caused significant damage and debris throughout all areas of the County; and

WHEREAS, it is likely that additional damage will be discovered following further investigation and debris clearance; and

WHEREAS, it appears that these occurrences throughout the County constitute an emergency as defined in ORS 401.125(1); and

WHEREAS, Curry County does not have the resources to assist with the depth of infrastructure loss and private property damage to our residents and businesses by these severe storm events, as the direct and indirect costs associated with the damage caused by the storms could exceed \$3 million.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. The Curry County Board of Commissioners declares that a state of emergency now exists in Curry County, Oregon, effective as of this 4th day of January, 2023, encompassing the entire County, as described above.
2. In accordance with ORS 401.165(2)(a), the Board certifies that all local resources have been utilized and expended in responding to this emergency.

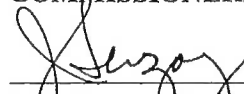
FILED IN CURRY COUNTY
Renee' Kolen, County Clerk
Commissioners' Journal

CJ:2023-8
01/06/2023 3:04:10 PM
2 PAGES

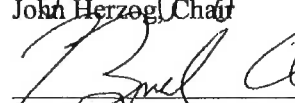
3. In accordance with ORS 401.165(2)(b), the Board's preliminary assessment of the property damage resulting from these circumstances is in excess of \$3 million. There have been no deaths or injuries reported with this event.
4. It is requested that the Governor of Oregon declare a state of emergency and consider Curry County an emergency area as provided in ORS 401.165(5) and provide such assistance as requested by Curry County, and available by the State of Oregon.
5. It is further requested that the Governor request additional assistance from the President of the United States, if needed.
6. Copies of this Resolution shall be provided to the Governor, Oregon Department of Emergency Management, Mayors of Brookings, Gold Beach, and Port Orford, County Sheriff John Ward, and the County Emergency Management Director.

DATED this 4th day of January, 2023

**BOARD OF CURRY COUNTY
COMMISSIONERS**



John Herzog, Chair

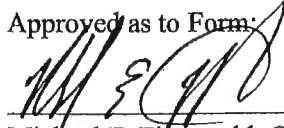


Brad Alcorn, Vice Chair

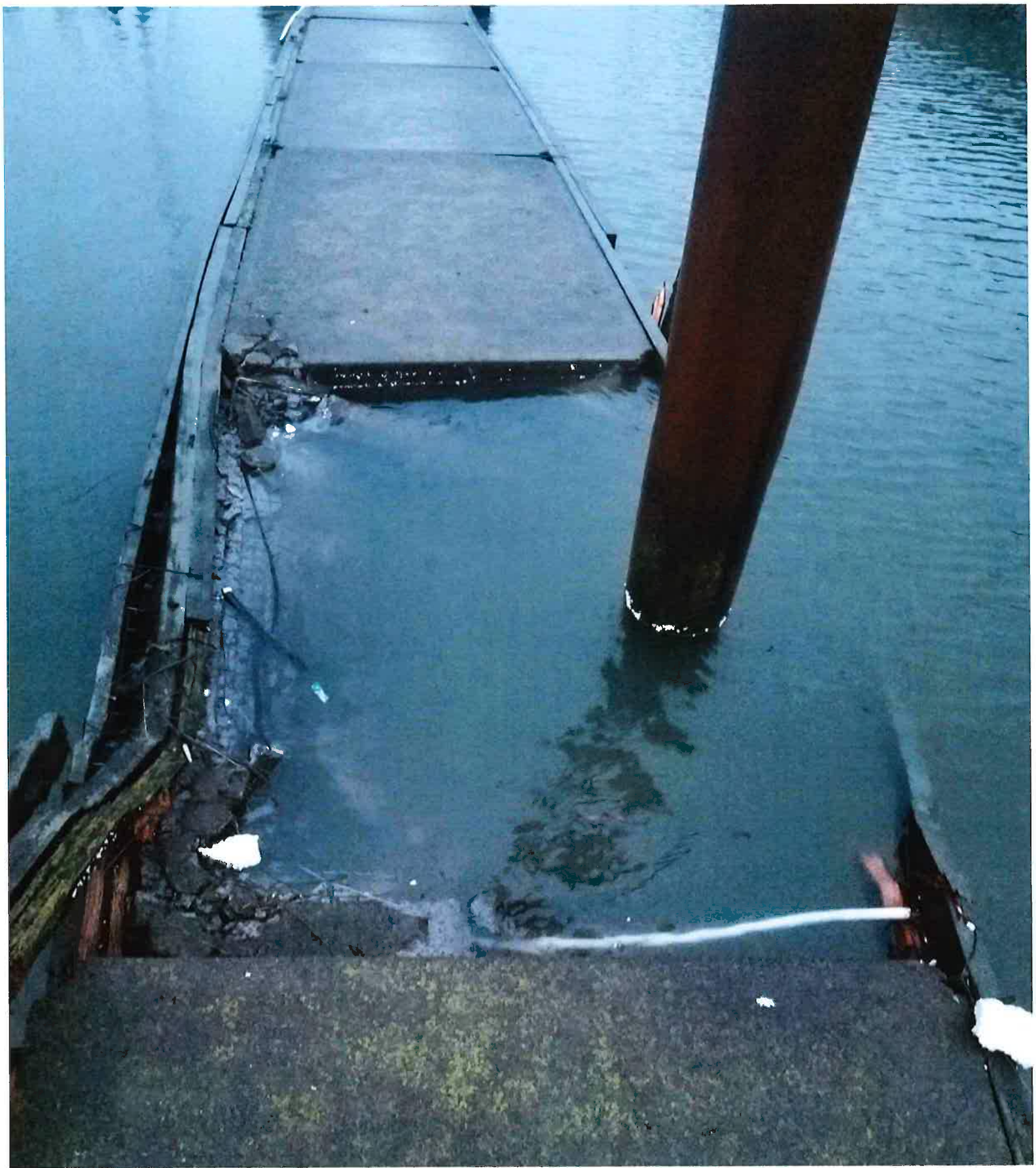


Court Boice, Commissioner 15-22

Approved as to Form:

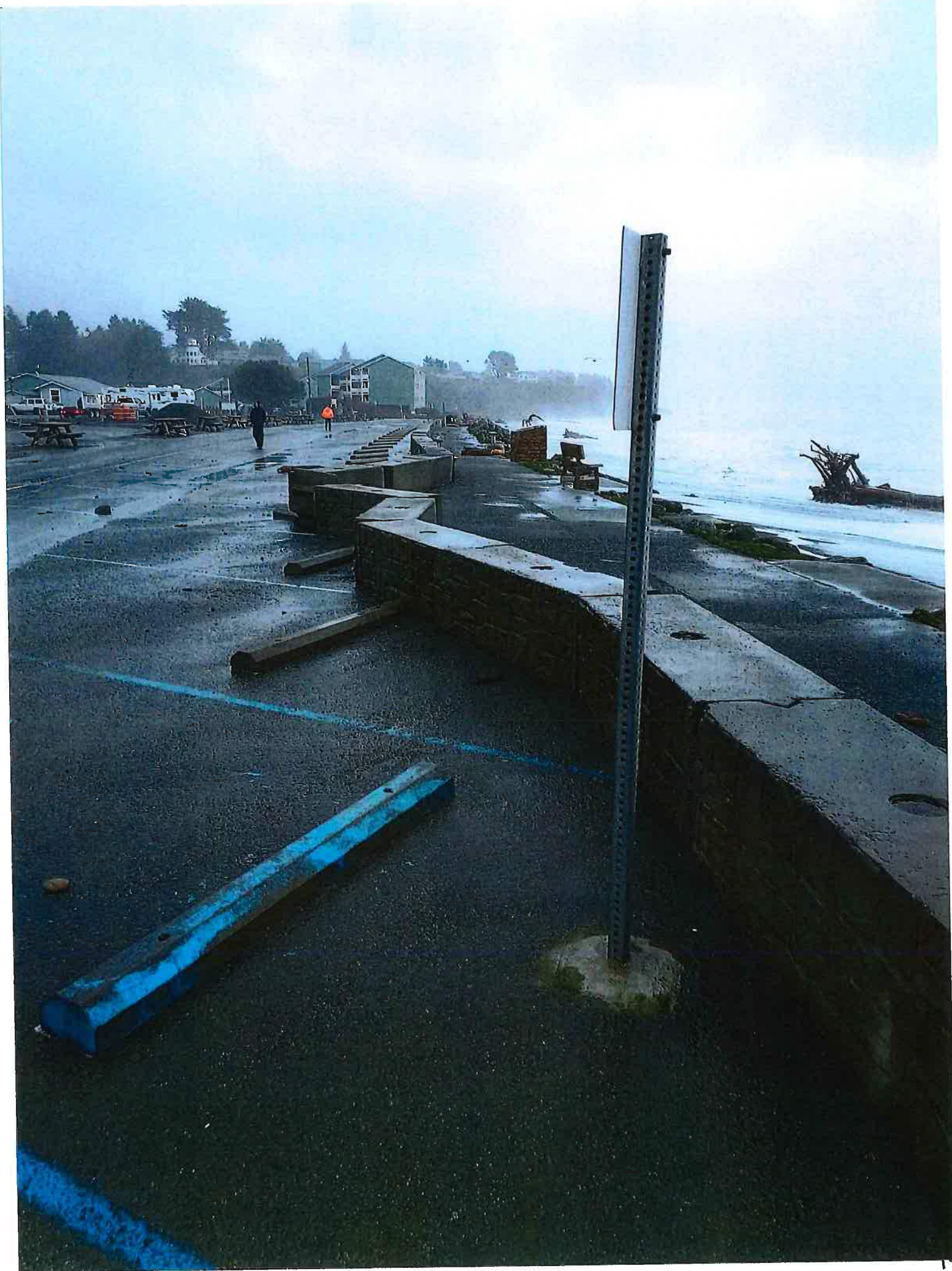


Michael E. Fitzgerald, OSB # 192939
Curry County Legal Counsel





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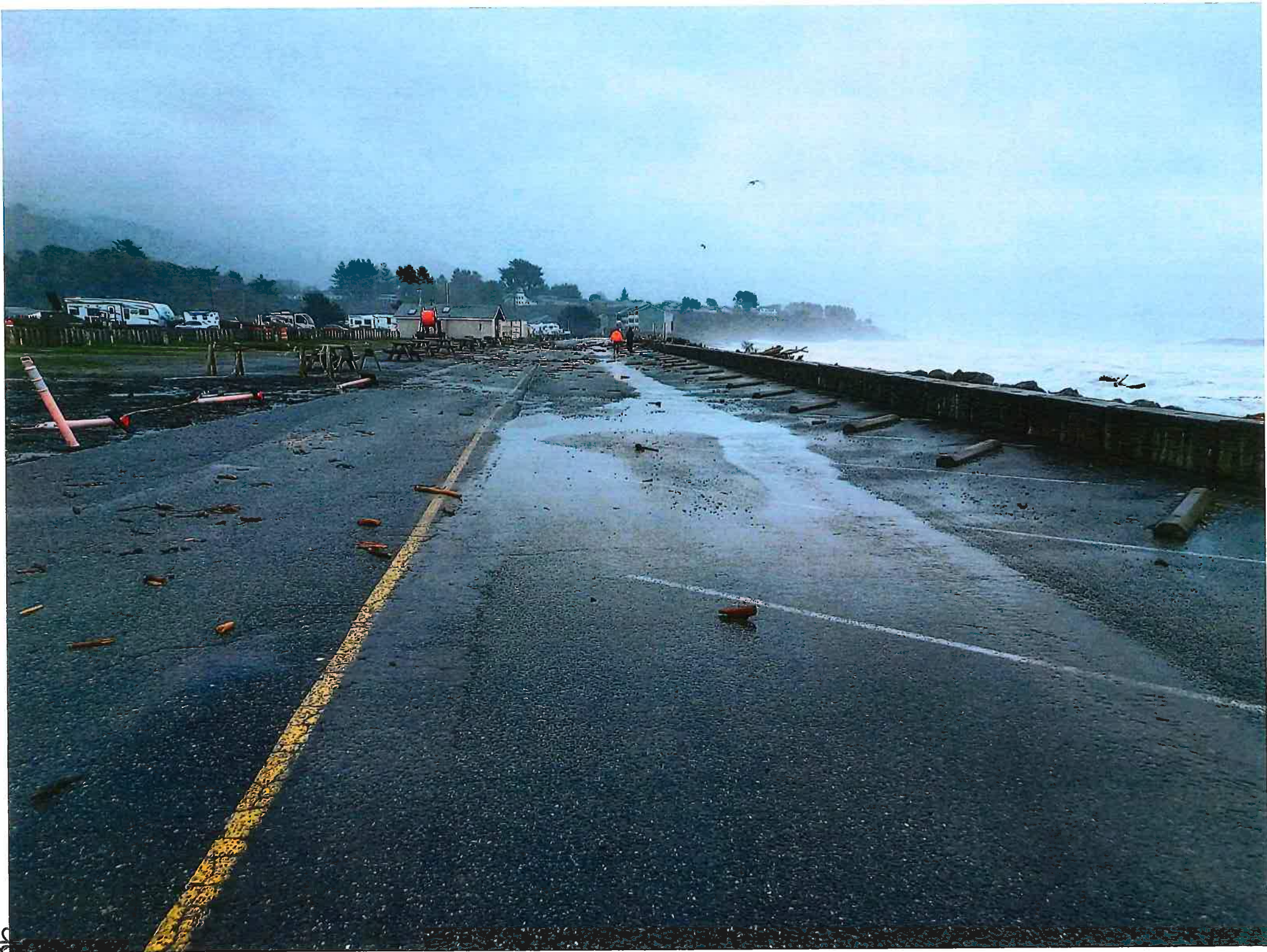


RINSE AREA
NO SOAPS
CHEMICALS
LONG STAYS





















March 25th
2022



INFORMATION ITEM – E

DATE: January 18, 2023
RE: Miss Stacey Update
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Travis Webster, Port Manager

OVERVIEW

- January 13, 2022, moorage terminated due to no insurance, no moorage agreement, no documentation, and no payment.
- January 21, 2022, Port requested documentation, current conditions survey, valid insurance, and signed moorage agreement.
- Survey was scheduled for February 25, 2022 but was canceled by moorage holder/boat owner.
- June 15, 2022, moorage for 2022 was approved, 2022-23 renewal will be determined by conditions of vessel.
- August 31, 2022, no survey has been done yet, and vessel was found to be leaking electrical AC/DC current into the water.
- September 21, 2022, Board decided to terminate moorage December 31, 2022, unless all requirements are met, which includes marine survey.
- September 22, October 3 and November 2, letters were sent to Mr. Schacht stating a survey must be submitted for approval by December 31, 2022.
- November 28, another letter was sent to Mr. Schacht stating moorage will be terminated and boat will be required to be removed from the Port of Brookings Harbor unless a survey is submitted by December 31, 2022.
- December 13, Rick called Travis. He has scheduled a survey for Jan 3rd, 2023 and has asked if he could have the extra time (3 days) past his renewal date. After we get the results of the survey then the Port can decide from there. He has full intentions to sell the boat and all the gear.
- December 16, Release of lien on crab permit.
- January 5 has sold vessel to Steve O'Daniels. New owner states vessel will be gone from Port as weather permits.

DOCUMENTS

- January 5 text message, 1 page
- December 16, release of lien letter, 1 page
- Miss Stacey Timeline, 12 pages
- September 22, November 2, & November 28, 2022 Letters sent to Mr. Schacht, 4 pages

Thursday, January 13, 2022

2:49 PM I'm out of town until Tuesday.
Thanks

Thursday, January 5

10:14 AM Just wondering if the survey got
done or if you have any updates

I sold the boat. And I just messaged
the new owner and he should
contact you today 10:24 AM

10:25 AM Can you give me some contact
details for the new owner

He just left a message at the office 10:27 AM

I just gave him your cell number 10:49 AM

10:51 AM Ok

RECEIVED

DEC 29 2022



Jess G. Webster
jess.webster@millernash.com
206.777.7560 (direct)

December 16, 2022

Oregon Department of Fish & Wildlife
License Services
4034 Fairview Industrial Drive SE
Salem, OR 97302

Re: Release of Claim of Lien – F/V MISS STACEY, O/N 504307, Oregon Resident Ocean
Dungeness Crab Permit # 96179.

Dear License Services:

Reference is made to that Notice of Claim of Lien asserted by the Port of Brookings Harbor, Oregon (the "Port") against the above referenced vessel and its appurtenance permit, and our earlier letter to your office of January 14, 2022, a copy of which is enclosed for your reference.

This letter is to advise you that the referenced claim of lien against Oregon Resident Ocean Dungeness Crab Permit # 96179 has been released by the Port.

If you have any questions in this regard, please feel free to contact the undersigned.

Very truly yours,

Jess G. Webster

Cc: Port of Brookings Harbor, Attn. Travis Webster; Rick Schacht

4889-0031-5716.1'

Pier 70 | 2801 Alaskan Way, Ste 300 | Seattle, WA 98121

California
Oregon
Washington
MILLERNASH.COM

109



Port of Brookings Harbor

16330 Lower Harbor Road / PO Box 848
Brookings, Oregon 97415
Phone (541) 469-2218
Fax (541) 359-3999
www.portofbrookingsharbor.com

Board of Commissioners

Richard Heap, President
Joseph Speir, Vice-President
Sharon Hartung, Secretary/Treasurer
Kenneth Range
Larry Jonas

F/V: Miss Stacey Timeline, Summary of events since June 15, 2022 Board Meeting

On 1/21/2022 Gary and Travis met with Rick Schacht and Julie Tomlinson who had requested a renewal of their Moorage upon receiving their termination letter. Gary and Travis informed them that the following would be required before a renewal of Moorage would be considered or approved:

- Documentation on the vessel,
- Obtain valid insurance,
- Sign Moorage Agreement,
- Payment of the Moorage fees,
- Have a current conditions survey completed.**

On 6/15/2022, the Board of Commissioners approved Commercial Moorage for the current year (dates: 1/1/2022 through 12/31/2022). The Board also requested an update at a future meeting regarding the status of the vessel.

Regular meeting minutes (attached), reads:

Vessel Miss Stacey Moorage Renewal

Dehlinger reviewed the status of the vessel with the Board. The marine survey still has not been completed, and there is still a lien on the crab pots and crab permit.

A motion was made by Jonas and seconded by Speir to approve Miss Stacey Moorage agreement from January 1, 2022 to December 31, 2022. Update the Board at the November 2022 regular meeting on the status of the vessel for consideration on the next moorage agreement. The motion passed 5 – 0.

On 6/21/2022, a letter was sent to Rick stating that Moorage for 2022 was approved by the Board, and that renewal options for 2023 Moorage would be determined at the end of this year (2022) depending on the conditions of the vessel.

On 8/31/2022, Travis reached out to Rick by phone, to discuss the timeline for the upcoming Moorage renewal in 2023, survey requirements etc. Rick claimed that "he hasn't made money in 2 years, hasn't been able to fish in 2 years, and can't get a survey done until he has some money saved up". He claims that his "moorage, gear storage, fishing licenses, insurance, and other things" have consumed his savings and that he cannot get a survey done until he makes money.

Also, on 8/31/2022, certified electrician Gary Burton found that the Miss Stacey is leaking 5 amps into the water, and is also showing DC leakage, which means it likely has no usable zinc working on the boat.

On 9/7/2022, Travis contacted Rick and Julie, regarding the electrician's findings last week. Travis asked them to unplug the vessel, to check the vessel, and make the necessary repairs to resolve the electric issue. We did not receive any call back or notice that they did check the vessel.

On 9/21/2022, the Board of Commissioners decided that moorage of Miss Stacey be terminated unless all requirements for moorage for the Port of Brookings Harbor is met on January 1, 2023.

Regular meeting minutes (attached), reads:

Miss Stacey Update

Webster reviewed the vessels timeline with the Board, and the owner has informed Webster that he will not be doing the survey as requested. Hartung suggested that the survey be done or terminate the moorage. There was a discussion about the termination process.

A motion was made by Range and seconded by Jonas to approve moorage of Miss Stacey be terminated unless all requirements for moorage for the Port of Brookings Harbor is met on January 1, 2023. The motion passed 3 – 0.

On 9/22/22, a letter was sent to Rick stating the Board of Commissioners decided to terminate the Moorage for "Miss Stacey" unless a Marine Survey is completed and submitted to the Board for approval by December 31st, 2022 (as per the Moorage Requirements requested on 1/21/2022).

On 10/3/22, a second letter was sent to Rick stating the Board of Commissioners decided to terminate the Moorage for "Miss Stacey" unless a Marine Survey is completed and submitted to the Board for approval by December 31st, 2022 (as per the Moorage Requirements requested on 1/21/2022).

On 11/2/22, a third letter was sent to Rick stating the Board of Commissioners decided to terminate the Moorage for "Miss Stacey" unless a Marine Survey is completed and submitted to the Board for approval by December 31st, 2022 (as per the Moorage Requirements requested on 1/21/2022).

On 11/28/22, a fourth letter was sent to Rick stating the Board of Commissioners decided to terminate the Moorage for "Miss Stacey" unless a Marine Survey is completed and submitted to the Board for approval by December 31st, 2022 (as per the Moorage Requirements requested on 1/21/2022).

- **This letter also noted that if the Moorage is terminated, they will be required to remove the vessel from the Port of Brookings Harbor.**

On 12/3/22, Rick called Travis. He has scheduled a survey for Jan 3rd, 2023, and has asked if he could have the extra time (3 days) past his renewal date. After we get the results of the survey then the Port can decide from there. He has full intentions to sell the boat and all the gear.

**APPROVED MINUTES
BUDGET HEARING AND REGULAR MEETINGS OF THE BOARD OF COMMISSIONERS
PORT OF BROOKINGS HARBOR DISTRICT**

Wednesday, June 15, 2022

This is not an exact transcript. The audio of the session is available on the Port's website.

The Port of Brookings Harbor District met in Budget Hearing and Regular session on the above date at 2:00pm. Open session at the Port Conference Room, 16350 Lower Harbor Road Suite 202, Harbor OR, 97415, teleconference and webinar.

FISCAL YEAR 2022-23 BUDGET HEARING (ORS 294.430)

Commission President Richard Heap called the Budget Hearing Meeting of the Port of Brookings Harbor of Commissioners to order at 2:00pm.

1. Pledge of Allegiance

- All participants stated the Pledge of Allegiance

2. Call to Order

- **Commissioners Present:**
Joseph Speir, Vice-President (Pos. #1); Sharon Hartung Secretary/Treasurer (Pos. #2); Larry Jonas (Pos. #3); Richard Heap, President (Pos. #4) and Kenneth Range (Pos. #5).
- **Management and Staff:**
Gary Dehlinger, Port Manager; Travis Webster, Harbormaster; and Danielle King, Safety/Administrative

3. Public Comment – Audio time 0:01:43

- There were no public comments.

4. Action Items – Audio time 0:02:02

A. Resolution 2022-06 Adopting the 2022-23 Fiscal Year Budget, Making Appropriations and Levying and Categorizing the Tax

Heap explained this is a formal process to approve the budget. Dehlinger stated there were no changes from the budget committee. There was a question from the Board regarding the Port debt and the estimated dollar amount for fuel sales.

A Motion was made by Hartung and seconded by Speir to approve Resolution No. 2022-06 Adopting the 2022-2023 Fiscal Year Budget, making appropriations, and imposing and categorizing the tax. Motion passed 5 - 0.

5. Adjournment from Budget Hearing – Audio time 0:06:03

- Having no further business, the meeting adjourned at 2:05 pm

REGULAR MEETING – Audio time 0:06:08

1. CALL MEETING TO ORDER

Commission President Richard Heap called the Regular Meeting of the Port of Brookings Harbor of Commissioners to order at 2:05pm.

- **Commissioners Present:**
Joseph Speir, Vice-President (Pos. #1); Sharon Hartung Secretary/Treasurer (Pos. #2); Larry Jonas (Pos. #3); Richard Heap, President (Pos. #4) and Kenneth Range (Pos. #5).
- **Management and Staff:**
Gary Dehlinger, Port Manager; Travis Webster, Harbormaster; and Danielle King, Safety/Administrative.
- There was no modifications or additions to the agenda.
- There was no declaration of potential conflicts of interest.

2. **APPROVAL OF AGENDA** – Audio time 0:06:56

- **A motion was made by Speir and seconded by Hartung to approve the agenda as written. The motion passed 5 – 0.**

3. **APPROVAL OF MEETING MINUTES** – Audio time 0:07:25

- A. **Approve Minutes of Budget Committee Meeting Tuesday May 10, 2022.**
- B. **Approve Minutes of Regular Commissioner Meeting Wednesday, May 18, 2022.**

A Motion was made by Speir and seconded by Jonas to approve the meeting minutes for the Budget Committee Meeting Tuesday May 10 and the Regular Commissioner Meeting Wednesday May 18 as discussed. The motion passed 5 – 0.

4. **PUBLIC COMMENTS** – Audio time 0:08:10

- There was one public comment by Tony Parrish regarding Stout Mountain Railway location in the Port.

5. **MANAGEMENT REPORTS** – Audio time 0:14:36

A. **May 2022 Safety & Security Report** - Audio time 14:39

King reported on staff safety training, incidents, accidents, security issues that happened for the month of May and upcoming events for June.

B. **May 2022 Harbormaster Report** - Audio time 0:16:58

Webster reported on projects that were completed in the month of May in the RV Park, marina, and equipment services. There was a discussion among the Board and staff regarding the commercial basin restrooms door code being handed out and the vandalism happening in that bathroom.

C. **May 2022 Financial & Manager Report** - Audio time 0:26:16

Dehlinger reported on the financials for the month of May. Dehlinger reviewed the status of the RV Park project, FEMA Projects, the condition of the Hallmark Dock, and the status of the boat yard warehouse. Since the start of cleaning up the boatyard 6 years ago we have demolished or sold 40 boats, and we finally demolished the last boat. Dehlinger also informed the board of the 4th of July activities being planned.

A motion was made by Jonas and seconded by Speir to approve the management reports. The motion passed 5 – 0.

6. **ACTION ITEMS**

A. **Vessel and/or Trailer Storage Agreement** – Audio time 0:37:43

Dehlinger reviewed with the Board what items Port Counsel has added to the agreement. There was a question from the Board regarding why these boats aren't required to have insurance.

A motion was made by Speir and seconded by Range to approve draft vessel and/or trailer storage agreement for the boat and trailer storage area to be put into effect immediately. The motion passed 5 – 0.

B. **Vessel Miss Stacey Moorage Renewal** – Audio time 0:41:11

Dehlinger reviewed the status of the vessel with the Board. The marine survey still has not been completed, and there is still a lien on the crab pots and crab permit.

A motion was made by Jonas and seconded by Speir to approve Miss Stacey Moorage agreement from January 1, 2022 to December 31, 2022. Update the Board at the November 2022 regular meeting on the status of the vessel for consideration on the next moorage agreement. The motion passed 5 – 0.

C. Charters and Guides Sign Agreement Form – Audio time 0:44:31

Dehlinger reviewed this would be for anyone who wants to be on the sign. There was a discussion among the Board and staff of the location of the signs, what sign concept the Board likes, and if they would like a “You are Here” map. The Board allowed public comment.

A motion was made by Heap and seconded by Hartung to approve proceeding with the sign concept design size without “You Are Here” map and locations as discussed and limit the number of signs to 24 individual signs. Sign locations at the RV Park, Boat Ramp and somewhere near the Port Office determined by the Port Manager. The motion passed 4 – 1. Yes: Jonas, Range, Hartung, & Heap. No: Speir.

7. INFORMATION ITEMS

A. BOEM Wind Energy Farm Off the Coast of Brookings Oregon, Presentation by Oregon Trawl Commission – Audio time 1:02:49

Yelena Nowak, Executive Director of Oregon Trawl Commission gave a presentation to the Board regarding BOEM Offshore Wind Energy Farm off the coast of Brookings Oregon, and the impacts this will have on our fishing fleet. Brad Pettinger, Vice Chair of Pacific Fishery Management Council, Leonard Krug President of Oregon Anglers Alliance and William Goergen Owner of Catalyst Seafood gave the Board their opinion on the Offshore Wind Energy Farm being presented by BOEM. Commissioner Heap informed the Board of his support for the Resolution being presented to the Board. Board agreed to have a Special Meeting the following week to approve the Resolution.

B. Pacific Seafood Request for Dock Hoist – Audio Time 2:04:52

Dehlinger informed the Board that the hoist is back in place, the yellow hoist is not used.

C. Zola’s on the Water Concrete Patio Outside Leased Premises – Audio Time 2:06:18

Dehlinger just wanted to inform the Board that Zola’s had poured concrete outside of their leased area, didn’t notify Port Management, and a letter has been sent to Zola’s regarding the violation. It was agreed upon the Board and Management that if another violation happens with Zola’s the next letter will come from Port Council terminating their lease.

D. Cable TV and Wi-Fi at Beachfront RV Park – Audio Time 2:09:26

Dehlinger asked for the opinion of the Board on Wi-Fi since the Wi-Fi service is not currently covering the whole park and the cable tv is becoming harder and harder to repair. Board agreed to invest in a Wi-Fi system.

E. USDA Civil Rights Compliance Review & Response – Audio Time 2:11:46

Dehlinger informed the Board there were some changes that needed to be made in the Port Office and RV Park Office to be compliant with USDA Civil Rights.

F. Boat Yard Building(s) and Port Office Proposal – Audio Time 2:13:21

Dehlinger asked for an open discussion regarding what is being proposed, then reviewed the proposal. There was a discussion regarding the loan, and how the money will be recovered. It was suggested to look into quotes for the warehouse building and investigate the other structures at a later date.

G. RV Park New Fence Dividers – Audio Time 2:33:49

Dehlinger informed the Board that the RV Park project does not include site dividers and are looking into new fence ideas, and asked for the Boards opinions or different suggestions.

H. Summer Food Dine-In Bus Route – Audio Time 2:38:10

Commissioner Hartung discussed the food dine-in bus program, the Board and Port Management didn't see an issue or liability with the bus being on Port property.

I. Travel Lift Ramp Sediment Impacts – Audio Time 2:41:09

Dehlinger informed the board that this issue has presented itself again and we can only haul out boats during high tide. Dehlinger has been in contact with the Curry County Roadmaster to discuss what the next steps are. The Board suggested having a meeting with the County Commissioners on how to fix this.

J. Beach Cam for Website – Audio Time 2:45:31

Dehlinger is suggesting a beach camera due to the survey's received back from the RV Park guests; it would be posted on the Beachfront RV Park website.

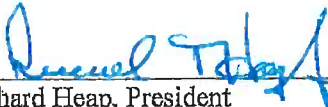
8. COMMISSIONER COMMENTS – Audio time 2:47:19

- Commissioner Heap commented that the budget looked great and was easy to read.

9. NEXT REGULAR MEETING DATE – Wednesday, July 20, 2022, at 2:00pm.

10. ADJOURNMENT – Audio time 2:47:56


Having no further business, the meeting adjourned at 4:47 pm.



 Richard Heap, President

7-26-2022

 Date Signed



 Sharon Hartung, Secretary/Treasurer

7-26-2022

 Date Signed

An audio recording was made of these proceedings. The recording and the full commission packet are available on the Ports website: www.portofbrookingsharbor.com.



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Board of Commissioners

Richard Heap, President
Joseph Speir, Vice-President
Sharon Hartung, Secretary/Treasurer
Kenneth Range
Larry Jonas

Renewal Notice

June 21, 2022

Dear Rick,

On Wednesday, June 15th, the Board of Commissioners approved Commercial Moorage for the current year (January 1st, 2022, through December 31st, 2022), for the fishing vessel "Miss Stacey".

Enclosed you will find an invoice for 2022 Commercial Moorage and a Moorage License Agreement that needs to be completed and signed.

The following documentation must be provided if you would like to renew your slip:

1. **Moorage License Agreement (enclosed)** – completed and signed.
2. **2022 Commercial Fishing License.**

In accordance with Port Policy, all Moorage Agreements must be paid in full at the time of renewal.

If all required documentation and payment are not received within 30-days of this letter, your Moorage will be terminated.

Please note: the Board of Commissioners approved Commercial Moorage for the current year (2022); renewal options for 2023 will be determined at the end of this year, depending on the conditions of the vessel.

If you have any questions, please contact Port Manager Gary Dehlinger or Harbormaster Travis Webster.

Thank you,

April Sachanowski
Port of Brookings Harbor Office

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116

**APPROVED MINUTES
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
PORT OF BROOKINGS HARBOR DISTRICT**

Wednesday, September 21, 2022

This is not an exact transcript. The audio of the session is available on the Port's website.

The Port of Brookings Harbor District met in regular session on the above date at 2:00pm. Open session at the Port Conference Room, 16350 Lower Harbor Road Suite 202, Harbor OR, 97415, teleconference and webinar.

1. CALL MEETING TO ORDER

Commission President Richard Heap called the Regular Meeting of the Port of Brookings Harbor of Commissioners to order at 2:00pm.

- **Port of Brookings Harbor Commissioners Present:**
Sharon Hartung Secretary/Treasurer (Pos. #2); Larry Jonas (Pos. #3); Richard Heap, President (Pos. #4); and Kenneth Range (Pos. #5). Joseph Speir, Vice-President (Pos. #1) was absent.
- **Port of Brookings Harbor Management and Staff:**
Travis Webster, Harbormaster; Danielle King, Safety/Administrative; and James Walker, Port Counsel.
- Webster requested to table Action Item D due to the quotes have not been received yet and table Action Item R. Webster requested to add Action Item S, Port Manager Search Update.
- There were no declarations of potential conflicts of interest.

2. APPROVAL OF AGENDA – Audio time 0:02:15

A motion was made by Jonas and seconded by Hartung to approve the agenda as modified. The motion passed 4 – 0.

3. APPROVAL OF MEETING MINUTES – Audio time 0:02:39

- A. Approve Minutes of Special Commissioner Meeting Tuesday August 9, 2022
- B. Approve Minutes of Special Commissioner Meeting Thursday August 11, 2022
- C. Approve Minutes of Regular Commission Meeting Wednesday August 17, 2022

A motion was made by Hartung and seconded by Jonas to approve the meeting minutes for August 9, 2022, August 11, 2022, and August 17, 2022. The motion passed 4 – 0.

4. PUBLIC COMMENTS – Audio time 0:03:16

There was one public comment by Dan Fraser regarding the Boat Shop & More Lease.

5. MANAGEMENT REPORTS / APPROVAL

- A. **August 2022 Safety, Security, & environmental Report – Audio time 0:04:41**
King reported on staff safety training, incidents, accidents, and security issues that happened for the month of August.
- B. **August 2022 Harbormaster Report – Audio time 0:05:26**
Webster reported on projects that were completed in the month of August in the RV Park, Marina, and equipment services. Reviewed with the Board that data was collected for the University of Oregon and Business Oregon to help increase funding in Oregon Ports, fraud alert at our Rogue account, and the safety alert to the new Port vehicles. The Board had further questions regarding the study through University of Oregon.
- C. **August 2022 Financial Report – Audio time 0:12:50**
Webster reviewed the financial report to the Board. Board allowed public comment.

A motion was made by Jonas and seconded by Hartung to approve the Management Reports for August 2022 as discussed. The motion passed 4 – 0.

6. ACTION ITEMS

A. Boat Shop & More Lease Amendment #1 – Audio time 0:17:16

Webster reminded the Board this was discussed in a previous meeting and reviewed item; the lease space has increased. There was a question from the Board if there is a penalty for early termination, and what if we did not approve the termination. Board allowed public comments.

A motion was made by Hartung and seconded by Heap to approve Boat Shop and More, LLC Commercial Lease Amendment No. 1. The motion passed 3 – 1. Yes: Jonas, Hartung & Heap. No: Range.

B. Resolution 2022-08 Adopting Best Management Practices – Audio time 0:25:46

Webster watched a demo of the dustless sandblasting and found it very useful for vessels, approving this Resolution it will allow for this operation to happen in the Boat Yard, then we will update the 1200Z permit. The Board had questions about how the dustless blasting works and the operations. Board allowed public comment.

A motion was made by Range and seconded by Hartung to approve Draft Resolution 2022-08 adopting Best Management Practices to update Section 1.2 Scraping and Sandblasting to include dustless blasting. The motion passed 4 – 0.

C. Boat Yard Rates – Audio time 0:33:34

Since the Port is now in charge of the Boat Yard Webster wants to review our rates. The Board agreed upon Yard days at \$1.50 per foot per day, 10% environmental service charge and \$20.00 a month for outrigger poles. Webster suggested a monthly yard rate. Board allowed public comment. There was discussion about the monthly yard rate.

A motion was made by Hartung and seconded by Range to approve added rates for yard days, environmental fee, pole storage, and clean up charges as discussed. Yard days vessels per foot per day at \$1.50 a foot, monthly rate \$.75 per foot, and environmental service charges 10% of the balance, and outrigger pole storage \$20.00 a month, and clean up charges port labor and materials per hour as the port labor and materials rate. The motion passed 4 – 0.

D. Boat Yard Clam Shelling – Audio time 0:49:46

Item was tabled.

E. EMC Engineer/Scientists, LLC Agreement Amendment #1 – Audio time 0:49:50

Webster explained this is an amendment to add an additional year, everything else is the same.

A motion was made by Hartung and seconded by Jonas to approve EMC Engineer/Scientists, LLC Professional Agreement Amendment No. 2. The motion passed 4 – 0.

F. Charter and Guide Boat Sign Installation – Audio time 0:51:18

Webster went over the quotes that were received to install the signs. Dave Lacey with Oregon Coast Association will be covering the cost of the signs to be installed. The Board asked about compliance with the new charter/fishing guide fee.

A motion was made by Range and seconded by Jonas to approve Art Signs Inc. to manufacture and install 3 charter and guide boats sign. Signs to include a small 4"x4" spot for credit logos. The motion passed 4 – 0.

- G. Delinquent Account Write Off Request Dylan Koster** – Audio time 0:57:05
Webster explained this is the motorhome that caught on fire and was left in our boat launch parking lot, this will send him to collections.

A motion was made by Jonas and seconded by Hartung to approve delinquent account write off for \$1,757.12 from accounts receivable and submit Dylan Koster's account amount of \$1,757.12 to the Port collection agency. The motion passed 4 – 0.

- H. Southern Oregon Credit Service Request for Small Claims Approval** – Audio time 0:59:14
Webster reviewed this is a remaining balance for moorage, this will be sent to litigation.

A motion was made by Jonas and seconded by Hartung to approve Southern Oregon Credit Services / Collect Northwest to proceed with litigation on Dennis Thomas for the remaining debt owed. The motion passed 4 – 0.

- I. Sale of Port Property** – Audio time 1:00:20

Heap reviewed item with the Board. Webster explained what the next steps would be if the Board wanted to move forward with the sale. Port Counsel recommended to approve the resolution so Webster can negotiate and bring the sale agreement back to the Board for approval. Board allowed public comment.

A motion was made by Range and seconded by Jonas to approve draft Resolution 2022-09, Authorizing the Harbormaster, or his designee to enter into negotiations with the Lloyd Whaley Trust Dated January 3, 2014, for the sale of property between Lower Harbor Road and Shopping Center Avenue, Brookings, Oregon. The motion passed 4 – 0.

- J. Closure of all Rogue Credit Union Accounts** – Audio time 1:09:27

Webster explained the account has experienced a fraudulent charge, the card was canceled and will only use the account through Umpqua bank.

A motion was made by Jonas and seconded by Hartung to close all Port of Brookings Harbor Rogue Credit Union Accounts, including Business Saving Account #4000030600, Business Ownership Account #4000030687, and Business Platinum Credit Card Account #6000189521. The motion passed 4 – 0.

- K. Umpqua Bank Account Access Authorization** – Audio time 1:12:12

Webster reviewed item with the Board.

A motion was made by Jonas and seconded by Hartung to approve Board President, Richard Heap, to sign Account Access Authorization Form for authorized agents Kim Boom and Travis Webster and to revoke authorized agent Gary Dehlinger for all Umpqua Bank checking and loan accounts. The motion passed 4 – 0.

- L. LGIP Authorized Bank Agents and Signers** – Audio time 1:13:26

Webster reviewed item with the Board.

A motion was made by Hartung and seconded by Jonas to approve removal of Gary Dehlinger as authorized agent for Port of Brookings Harbor LGIP account(s). Motion to approve retaining Joseph Speir, position #1, with authorization for the Port of Brookings Harbor LGIP account(s) with the following permission/s: View/Access pool account information and Open/Close pool account. Motion to approve retaining Sharon Hartung, position #2, with authorization for Port of Brookings Harbor LGIP account(s) with permissions to View/Access pool account information, Add/Remove ACH/wire/transfer instructions, Open/Close pool accounts, Receive paper statements. Motion to approve retaining Larry Jonas, position #3, with authorization for the Port of Brookings Harbor LGIP account(s) with the following permission/s: View/Access pool account information and Open/Close pool account. Motion to approve retaining Richard Heap, position #4, with authorization for the Port of Brookings

Harbor LGIP account(s) with the following permission/s: View/Access pool account information, Add/Remove ACH/wire/transfer instruction, Open/Close pool account. Motion to approve retaining Kenneth Range, position #5, with authorization for the Port of Brookings Harbor LGIP account(s) with the following permission/s: View/Access pool account information and Open/Close pool account. Motion to approve adding Travis Webster with authorization for Port of Brookings Harbor LGIP account(s) with permissions to View/Access pool account information, initiate transactions, Add/Remove ACH/wire/transfer instructions, Manage permissions. Motion to approve retaining Kimberley Boom with authorization for Port of Brookings Harbor LGIP account(s) with permissions to View/Access pool account information, initiate transactions, Add/Remove ACH/wire/transfer instructions, Manage permissions. The motion passed 4 – 0.

- M. **Agreement for disbursement of SLFRF Funds (Curry County)** – Audio time 1:17:44
Webster explained these funds are a disbursement of State and Local Fiscal Recovery Funds under the American Rescue Plan Act and suggested to talk with Port Counsel before spending any of the funds.

A motion was made by Hartung and seconded by Jonas to approve Curry County Agreement for Disbursement of State and Local Fiscal Recovery Funds (SLFRF). The motion passed 4 – 0.

- N. **Mobile Concession Rate** – Audio time 1:21:33
Webster informed the Board we currently do not have a rate for this and explained the proposed rate. Range agreed on setting a rate but believes the rate is low and construction is going on would like to look at the rate again in six months. The Board had questions about the locations of the mobile concession stand and who it applies to.

Commissioner Heap left meeting at 3:30PM.

Item was tabled until further notice.

- O. **Proposal for Coffee Stand in RV Park** – Audio time 1:37:34
Webster informed the Board that a proposal was received by the owners of Bell & Whistle Coffee Shop, Matt & Anna Powers. The proposed location is in the RV Park in a closed down site with full hookups. Due to winter and construction in the RV Park, Range suggested to look at the rates in 6 months. Public comment was allowed.

A motion was made by Range and seconded by Jonas to approve proposal for mobile coffee concession stand to be placed in the Beachfront RV Park in a site with full hookups and bring draft lease for approval at October's Regular Meeting the lease will be for \$250.00 per month for a period of 6 months. The motion passed 3 – 0.

- P. **Miss Stacey Update** – Audio time 1:43:24
Webster reviewed the vessels timeline with the Board, and the owner has informed Webster that he will not be doing the survey as requested. Hartung suggested that the survey be done or terminate the moorage. There was a discussion about the termination process.

A motion was made by Range and seconded by Jonas to approve moorage of Miss Stacey be terminated unless all requirements for moorage for the Port of Brookings Harbor is met on January 1, 2023. The motion passed 3 – 0.

There was a discussion between Range and Webster about the electricity in the water.

- Q. **Portside RV Park Lease** – Audio time 1:51:56
Webster informed the Board Mr. Byrtus has sold the property to Cazadores, the new owners have a copy of the draft lease. Board allowed public comment.

A motion was made by Jonas and seconded by Range to approve the lease termination between the Port of Brookings Harbor and Portside RV Park effective September 30, 2022. The motion passed 3 – 0.

R. **Permission to Display Bible Education Cart** – Audio time 1:55:49
Item was tabled.

S. **Port Manager Search Update** – Audio time 1:56:48
Webster updated the Board, and it was recommended to keep the recruitment ad out for one or two more weeks. Range asked about where the ad is published and would like a list. Board allowed public comment.

A motion was made by Jonas and seconded by Range to approve extending the recruitment timeline for an additional 4 weeks. The motion passed 3 – 0.

7. **INFORMATION ITEMS**

A. **SDAO Safety & Security Grant** – Audio Time 2:04:45
Webster made the Board aware that we have applied for this grant to place a security camera our fuel dock.

B. **Events** – Audio time 2:05:52
Item was tabled.

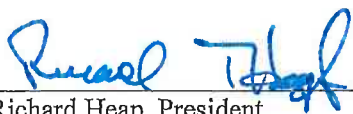
C. **Wastewater Treatment Plant Questions** – Audio time 2:06:23
Webster wanted to give the Board a chance to ask any questions they had about the treatment plant. Hartung stated the position we currently are in and believes its to earlier in the processes for her questions. Range had a few comments and concerns about the communication between board and management, engineering, operations, costs, and suggested to have a special meeting with organizations about the treatment plant, would still like a business plan.

8. **COMMISSIONER COMMENTS** – Audio time 2:22:59

9. **NEXT REGULAR MEETING DATE** – Wednesday, October 19, 2022, at 2:00PM

10. **ADJOURNMENT** – Audio time 2:23:15

Having no further business, the meeting adjourned at 4:22 pm.


Richard Heap, President

10-21-2022
Date Signed


Sharon Hartung, Secretary/Treasurer

10-21-22
Date Signed

An audio recording was made of these proceedings. The recording and the full commission packet are available on the Ports website: www.portofbrookingsharbor.com.



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Board of Commissioners

Richard Heap, President
Joseph Speir, Vice-President
Sharon Hartung, Secretary/Treasurer
Kenneth Range
Larry Jonas

September 22, 2022

Rick Schacht

Dear Mr. Schacht,

On Wednesday, September 21st, during a public meeting, the Board of Commissioners made a decision regarding the Moorage for fishing vessel "Miss Stacey".

It was decided that the Port of Brookings Harbor will terminate the Moorage on its current expiration date unless a Marine Survey is completed and submitted to the Board for approval by December 31st, 2022.

If you have any questions, please contact me at (541) 291-7380.

Sincerely,

Travis Webster
Harbormaster

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122



Port of Brookings Harbor

16330 Lower Harbor Road / PO Box 848

Brookings, Oregon 97415

Phone (541) 469-2218

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www.portofbrookingsharbor.com

Board of Commissioners

Richard Heap, President

Joseph Speir, Vice-President

Sharon Hartung, Secretary/Treasurer

Kenneth Range

Larry Jonas

Second Notice

10/3/2022

September 22, 2022

Rick Schacht

Dear Mr. Schacht,

On Wednesday, September 21st, during a public meeting, the Board of Commissioners made a decision regarding the Moorage for fishing vessel "Miss Stacey".

It was decided that the Port of Brookings Harbor will terminate the Moorage on its current expiration date unless a Marine Survey is completed and submitted to the Board for approval by December 31st, 2022.

If you have any questions, please contact me at (541) 291-7380.

Sincerely,

Travis Webster

Harbormaster

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Board of Commissioners

Richard Heap, President
Joseph Speir, Vice-President
Sharon Hartung, Secretary/Treasurer
Kenneth Range
Larry Jonas

November 2, 2022

Rick Schacht

Dear Mr. Schacht,

On Wednesday, September 21st, during a public meeting, the Board of Commissioners made a decision regarding the Moorage for fishing vessel "Miss Stacey".

It was decided that the Port of Brookings Harbor will terminate the Moorage on its current expiration date unless a Marine Survey is completed and submitted to the Board for approval by December 31st, 2022.

If you have any questions, please contact me at (541) 291-7380.

Sincerely,

Travis Webster
Harbormaster

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Board of Commissioners

Richard Heap, President
Joseph Speir, Vice-President
Sharon Hartung, Secretary/Treasurer
Kenneth Range
Larry Jonas

November 28, 2022

Rick Schacht

Dear Mr. Schacht,

The current Moorage for slip Q-13 and fishing vessel "Miss Stacey" expires on December 31st, 2022.

On Wednesday, September 21st, 2022, during a public meeting, the Board of Commissioners decided that the Moorage for fishing vessel "Miss Stacey" will terminate on its current expiration date unless a Marine Survey is completed and submitted to the Board for approval.

The Port of Brookings Harbor will terminate the Moorage on its current expiration date, and you will be required to remove the vessel from the Port of Brookings Harbor, unless you submit a Marine Survey to the Board for approval by December 31st, 2022.

If you have any questions, please contact me at (541) 291-7380.

Sincerely,

Travis Webster
Port Manager

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